

# MARYLAND

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### EARLY CAREER OF GOVERNOR FRANCIS NICHOLSON.

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From Downholme, an obscure village of Richmondshire in the North Riding of the County of York, came to America the founder of Annapolis and Williamsburg, of King William's School and William and Mary College, the Colonial administrator and "governor of governors," patron of schools and of religion, Francis Nicholson, whose long and varied activity makes him a conspicuous figure in American colonial history.

Downholme parish, though not barren, is broken into many wild diversities of surface that would almost defy the efforts of man to discover an easy road into its Upper Swale dale, where lie the ruins of one of the humblest of all monastic foundations, Ellerton upon Swale, dating probably from the reign of Henry II.

Downholme Park was the old seat of the Scropes of Bolton, who had been summoned thence to Parliament for eleven generations.

When the first Earl of Sunderland, Emanuel Scrope, eleventh Baron Scrope of Bolton, died in 1630, his extensive estates were divided among his three natural daughters, his only children.

Downholme Park fell to Mary the eldest, who, as a widow, was married, February 12, 1655 or 1656, to Lord St. John, sixth Marquis of Winchester, created in 1689 Duke of Bolton.

Sir John Reresby and Bishop Burnet, his contemporaries, have

represented this Lord St. John, Duke of Bolton surnamed "the proud," as one of the most extravagant livers of his time, "a man who took all sorts of liberties with himself;" he was arrogant and "had the spleen to an high degree," said the Bishop, . . . "yet carried matters before him with such authority and success, that he was in all respects the great riddle of the age."

Francis Nicholson was the natural son of this proud Duke of Bolton. When the General made his will in 1728, he wrote, with a view to a monumental inscription, "I was born at Downham (Downholme) Park, near Richmond, in Yorkshire, 12 November, 1655."

Of his boyhood we have no record. He was brought up in the schools; his letters and dispatches, as Mr. Doyle remarks, were indicative of superior education and talents, and he fully appreciated the importance of education in the colonies he governed.

Young Nicholson passed at an early age into the army of Charles II, and served three years in the Third Buffs, where he was, January 9, 1678, commissioned an ensign.

The year is a memorable one in the history of the English occupation of Tangier, in Morocco. Tangier had come to the crown in 1662 with Bombay as part of Catherine of Braganza's wedding dowry to Charles II., and was considered a most valuable acquisition. The history of the years in which it formed part of the British Empire is little known; but is one glorious for the gallant struggles of the British soldiers sent to guard it, for their resolute endurance, fighting under every conceivable difficulty, or dying at their posts when overwhelmed by crafty and unscrupulous foes. John Churchill, the great Duke of Marlborough, when scarce 20 years of age, served as a volunteer.

The Moorish Emperor, Muley Ishmael, with an enormous army of slaves from the Soudan, was ably and ferociously supporting his throne, and making more determined attacks on the English.

The exigency called for reinforcements, and furnished the occasion for Francis Nicholson to see his first service under the

famous Lieutenant-Colonel Percy Kirke, an able and energetic soldier. Lieutenant-Colonel Kirke, promoted from the Earl of Oxford's troop in the Royal Horse Guards raised 8 companies in London and vicinity, as Major Charles Trelawney did in Plymouth, and these companies made up the Earl of Plymouth's Regiment, later called the 4th King's Own, and now the King's Own Royal Lancaster Regiment. Ensign Nicholson served in this second Tangier regiment under Colonel Kirke at 3 shillings a day.

Three months after it was formed, the 4th King's Own embarked on what proved a hard voyage. Long detention on ship-board cost the lives of several officers and at least 50 privates; and when the regiment arrived at Tangier in December, 1680, it was in a sickly condition.

Colonel Kirke, a short-tempered, rough-spoken, dissolute soldier, harsh and unscrupulous, who is credited later with hanging a hundred persons without any sort of a trial within a week after a victory, using the sign-post of his inn as a gallows, seems to have taken special notice of Francis Nicholson, and employed him as a personal aide-de-camp, giving him the local rank of captain.

In February, 1681, Colonel Kirke was sent as special messenger to the Emperor Muley Ishmael, at Mequinez, the Versailles of Morocco. The Emperor spent much of his time there in its sumptuous palaces, and was almost always engaged, when not at war (or amusing himself with inventing some new torture for his subjects or the unhappy Christian slaves), in laying out pleasure grounds and beautifying his city. These slaves might be Englishmen or Portuguese, or other Europeans; soldiers, sailors, or women captured by pirates or soldiers.

Colonel Kirke, in his visit to Mequinez and Fez, made a favorable impression upon the Barbary Emperor, and he thereby brought about the redemption or liberation of a number of the English slaves. His correspondence was carried on through Lieutenant Nicholson, who was sent on several missions to the Emperor, to London, and to Lord Preston, British Ambassador in Paris, in 1682 and 1683.

Colonel Kirke became Governor of Tangier in 1682 and was transferred to the colonelcy of the old Tangier or Governor's regiment, since the Second or Queen's, and now the Queen's Royal West Surrey Regiment. Their badge was a Paschal Lamb, and they were known as "Kirke's Lambs." The dissolute tone of the garrison life complained of by the Fleet-Chaplain Ken (author of the doxology "Praise God, from whom all blessings flow"), exerted no good effect upon Colonel Kirke nor his aide. To Emperor Muley Ishmael, Governor Kirke pledged himself to turn Musselman, if he ever changed his faith; and Lieutenant Nicholson imbibed lessons that showed their effects at Hounslow Heath and in America. But environment and the age must be considered. Nor were strict, severe, army regulations wanting. Duties to God, His Majesty, and in general were clearly laid down; strictly forbidding profanity, absence from prayers and sermons; drunkenness, &c. Death was the penalty for challenging an officer to a duel. Other penalties were severe.

When at last the religious prejudices of the times compelled King Charles to abandon Tangier, he yielded to the barbarous Moors a possession that might have become as rich a jewel in the crown as did Bombay. Lord Dartmouth and Colonel Kirke abandoned the town in 1684.

The 23 years of its possession had cost the Crown more than all the garrisons of England, and the returns had grown less and less. This history is not a credit to the British nation. An empire might have been formed in Africa as powerful for good as that built up in India.

However this may be, glory is reflected upon the English by the pertinacious valor of the troops engaged there. The record of the Tangier Regiments furnishes a bright example of the strong self-reliant character of our race, and of the indomitable pluck and resolution that enabled them to retain so long the possession of the place and then to retire in the view of the enemy with dignity and without loss.

Lieutenant Nicholson returned to England, and is likely to have been with Colonel Kirke at the battle of Sedgmoor, July 6, 1685; and at Taunton, where "Kirke's Lambs" marched in



escorting prisoners and two cart loads of wounded; and in Taunton marketplace at once hanged nineteen prisoners.

Lieutenant Nicholson was a Protestant. When King James II. came to the throne, a Roman Catholic, and a bigoted one, exercised the lordship over government, army, and people. He publicly indeed, promised that he would not molest the Protestants, but would respect their privileges. The King's partiality, however, to the Roman Catholics soon placed Nicholson under the necessity of deciding a matter, very simple in itself, yet one in which a principle was involved, and from which he was afterwards to suffer the consequences of a wrong decision.

The world was in great religious unrest. The revocation of the Edict of Nantes, in 1685, caused a cry of grief and rage throughout Protestant Europe. England was filled with dismay at the acts of her own sovereign. The king had organized a military force, and in defiance of the law had selected its officers chiefly from Roman Catholics. "He took great pains to view and discipline it; and to that end formed a sort of Camp all that summer on Hounsloe Heath (in Middlesex), and by the great attention he had to their cloathing, armeing, and discipline, render'd it a very compleat body of men, which tho not very numerous (as not exceeding 13 or 14 thousand) had the reputation however of being the best pay'd, the best equip'd and the most sightly troops of any in Europe." In this fine organization, raised against the Duke of Monmouth and still kept up to three times the size of the usual standing army, and devoted to the king, was Lieutenant Nicholson, a young Tory officer with a career before him. James had frequent reviews and parades of his force, and had a great care to favor the papists in it. It would have required therefore some moral courage for a mere lieutenant to gainsay the royal wish under such circumstances. The forms of the Roman Catholic Church were of course observed in the worship in the sovereign's tent; and one day in July, 1686, Lieutenant Nicholson was present at the services. To kneel when mass was celebrated was to please the king by complying with Roman Catholic forms; to refuse to kneel was to bring on himself the royal displeasure, and perhaps his dismissal.

The young officer complied with the king's requirement, according to the affidavit of a soldier who "did see Francis Nicholson the late lieut. Governor of the fort at New York, Several times in the Mass, but especially two times in the King's tent at Hounsloheath in old England, being there to perform his devotions, and did the same upon his Knees before the altar in the papist chapel, when the Mass was said."

It was that act of kneeling in compliance with the demands of a king whose chief object was to establish the Roman Catholic religion instead of the Protestant, which was to give Nicholson trouble in America. So far as the records go, it was his only papistical act, at any rate, whether an act of faith or one of servility.

Lieutenant Nicholson grew in favor at Court. A little later he is mentioned as Captain Nicholson, the recipient of £100 bounty.

#### BEGINS HIS AMERICAN CAREER (1686-1689).

Nicholson's Colonial career began in Boston in 1686 under Sir Edmund Andros. The attention of the Court had been drawn to the encroachments of the French upon the territory claimed by England in America, and especially to their interference with the New England fisheries. It was therefore determined in Privy Council that the New England colonies be united into "one entire government, the better to defend themselves against invasion."

The policy of consolidation which Andros, as deputy governor under James the Duke of York had recommended in 1678, which Charles II. had adopted in 1684, James II. was now to enforce. He issued his commission to just the agent fitted to execute his arbitrary designs, Sir Edmund Andros, captain-general and governor-in-chief over the "Territory and Dominion of New England in America," whose long American experience, administrative ability, irreproachable private character, and soldierly notions of prompt obedience to orders, made him unpopular with the Puritans, but hardly deserving the evil reputation he has inherited. To secure Andros in his government of united New England, two

companies of regular soldiers, chiefly Irish Papists, were raised in London, and placed under his orders; and Captain Francis Nicholson was put in command of one company.

Andros and Captain Nicholson sailed for New England in the fall, but as Sir Edmund had instructions to settle the affairs of Bermuda, their frigate, the *Kingfisher*, did not reach Boston until Sunday, December 19, 1686. "On that day, about 7 a. m., was spied Sir Edmund's flag in the main top, and great guns announced his arrival; next day, Governor Andros in a scarlet coat laced, and Captain Nicholson attended by a company of soldiers, landed at Governor Leveret's wharf about 2 p. m. and were met by the president and a great number of merchants and others, with all the militia of horse and foot," and escorted to the town-house. There Andros had his commission read, produced the great seal and flag, both of a new device for the use of his government, took the oath of allegiance and as governor, and then, standing with hat on administered the oath to his councillors.

A few days later he met the new council. When they reached Boston the weather was serene and moderate; but the cold increased and the *Kingfisher* was kept all winter in port by the ice, and in May, Captain Hamilton her master died. His funeral, eight days later, was attended by Samuel Sewall who observes in his diary the presence of "Capt. Nicholson's Red coats and the 8 Companies." These companies are called by another contemporary "a crew that began to teach New England to drab, drink, blaspheme, curse, and damn; . . . moving tumult and committing insufferable riots; while their captain exasperated the Bostonians by averring that the Scabbard of a Red-coat should quickly signify as much as the commission of a Justice of the Peace."

Captain Nicholson's military service in the "Territory and Dominion of New England," beyond an expedition to Port Royal with the *Speedwell*, August 6, 1687, to ask of the French governor redress of fishermen's complaints, was limited to light operations against the Indians, and to upholding Sir Edmund Andros in his demand for the surrender of the charters of the

colonies. Nicholson received a commission, August 23, 1687, which added him to the Council of the Dominion. Captain Nicholson was indirectly connected with a striking incident of Sir Edmund Andros' government of the consolidated colonies, which, though partly resting on tradition, is yet in general historical—the rescue of Connecticut's charter.

This charter was prized by the men of Connecticut as the guarantee of their liberties. They had resisted Dudley's demands for it. When Andros arrived he wrote from Boston that he expected the immediate surrender of the Charter. It was not surrendered. After some correspondence in a civil tone he sent Captain Nicholson the long journey to Hartford to receive the Charter from Governor Treat, emphasizing the necessity of compliance by a hint at the redcoats, remarking that "Captain Nicholson hath His Majestie's owne Commission for one of the Companys Come with me for His Majestie's service in these parts, with whom you may be free, and give Credit to him in anything relating to his Majestie's service." But the Captain returned without the Charter. Then Andros determined to go in person and take the Charter, since his letters and his lieutenant had failed to get it. Samuel Sewall writes of his setting out from Boston on the 26th October, 1687, "with sundry of the Council, Justices, and other Gentlemen, four Blew-Coats, two Trumpeters, . . . 15 or 20 Red-Coats with small Guns and short Lances in the Tops of them"—about 60 in all. A five days' march brought the party unexpectedly to Hartford, where the Assembly was in session. After a formal exchange of courtesies, Andros publicly demanded the Charter. Governor Treat remonstrated, recalling the hardships endured by their fathers to secure the liberties granted them by the Charter. The Connecticut patriot had not yielded that Charter to Dudley's demand, he had not given it up at the written request of King James' Governor-General, nor had Captain Francis Nicholson of the king's red-coats obtained it. But being present in person Sir Edmund Andros was obdurate. The Charter lay on the table before him. The Governor pleaded long; it was growing dark; candles were lighted. The crowd was dense within and outside the chambers. Suddenly the lights

were put out. There was silence in the assembly. Amid confusion the candles were soon relighted; but the Charter was gone. It was safe in the hollow old oak. Sir Edmund was foiled. Nevertheless Andros assumed the government of the Colony and united it to his Territory and Dominion of New England." Connecticut was the last Colony to fall. New England was consolidated under one ruler.

#### LIEUTENANT-GOVERNOR OF NEW YORK.

King James insisted on governing his colonies in America by his royal prerogative as "dependencies" of the Crown, and not as constituencies of the British empire. He resolved that the vigor of absolute monarchy would be safer for the Colonies than the discords of the Colonial governments which risked his American realm. The British Colonies were at stake. New France with its undefined territory, was governed by a viceroy, who executed the French king's orders. The neighboring British territory had discordant local administrations. To the Indians the French king seemed a greater monarch than James. As long as Canada had the strength of union, while the English Colonies were separated and inharmonious, so long would France be stronger in America than England.

To establish British supremacy in America James determined to unite, not New England only, but all his North American possessions under one central government which should be able to stand against the encroachments of the French. To carry out this policy he selected Sir Edmund Andros, Governor-General of New England, and on the 7th of April, 1688, promoted him to be viceroy of the "Territory and Dominion of New England in America." Excepting Pennsylvania, all the rest of the British territory in North America, between the head of Chesapeake Bay and Canada, stretching across the Continent, was consolidated into the largest political unit under the British Crown, and brought for the first time under one royal captain-general and governor-in-chief. The seat of the new government was transitory; it might be at Boston or elsewhere, at the Governor's



discretion, but a deputy-governor was to reside at New York, and as governor of New York and the Jerseys, was to be the chief executive officer in the captain-general's absence, and to take his place in case of his death.

Captain Nicholson was, on April 20, 1688, promoted to be the King's "Lieutenant-Governor of New England," with a salary of £400 a year. The Commission reached Boston on July 5, and on the 19th Andros proclaimed his authority, from the town-house balcony, and Nicholson was installed as Lieutenant-Governor of the Dominion, with headquarters at New York.

A fortnight later Andros and Nicholson set out for New York, where Andros arrived on Saturday, the 11th, and was proclaimed the new Governor; but at New London Nicholson turned back upon hearing of Indian hostilities, and reached Boston again on the 7th. On his way to Boston Nicholson had passed through the Narragansett country, reassured the Indians against the French Indians, and "told them that they were now under a great King that would protect them from any enemy, provided they did their duty to him." In a long letter he tells of the movements of the Indians, and his marches against them to the Nipung country, covering 230 miles about Boston.

An interesting feature in Nicholson's career in the Colonies, was his contact with the pirates and buccaneers. Piracy is as old as naval history. The Phœnicians, Greeks, Romans, and Europeans of the Middle Ages passed through the stages of recognizing, regulating, and outlawing sea-robbers. Pompey with a large fleet checked their audacious insult to Rome itself. The great Hanseatic League of the thirteenth century was formed chiefly to protect the North German cities from the fearful pirates of the Baltic. The scourge was not removed from Europe until the feudal system fell and law secured the ascendancy. As Cilicia in ancient times, so Madagascar in the seventeenth century, as also the West Indies, were famous haunts of pirates. Envy of Spanish wealth and dominion in America supplied a pretext for privateers and pirates. These "enemies of the human race" as Cicero declared pirates to be, had, in 1630, taken the island of Tortuga, near Hispaniola; and many of them having been originally engaged

in the honest business of "boucaning" or smoking fish and meat after the Carib fashion, they were generally known in Europe as "Buccaneers." The Hollanders called them "Zee Rovers"; the French and Spanish "Fili-bustiers," the English, "Adventurers" or "Free-booters." The sack of Panama by the Welsh pirate, Sir Henry Morgan, in 1671, with a fleet of 39 ships and 2000 men, gave the command of the Pacific to the buccaneers, who spoiled Spanish towns and galleons. The stories of pirates which have infested American seas, would make a large volume of keen interest. Along the American seaboard there linger tales of the terrors that attended sea voyages. Pirates hovered upon every coast, and merchantmen were subject to tribute, if not utterly plundered, by privateer or pirate. Sometimes in company, oftener as solitary robbers, they spread terror along the courses of trade, or even pursued an enemy into a city's harbor, and terrorized the inhabitants by their fighting out their bloody duels in sight of its citizens.

The history of the buccaneers falls into three periods. Until the capture of Panama by Morgan they were unmolested by government; from 1671 till 1685 they were strongest, operating not only among the West Indies, but on the Pacific coast from Chile to California. After 1685 there came a period of disunion, disintegration, and degeneration into unmitigated vice and cruelty. In this period falls the experience of Francis Nicholson; and the records of our admiralty courts for that period are full of trials of pirates, with the most revolting accounts of their cruelties and their executions.

Charles II. had tried to suppress the buccaneers; but he had also knighted the "gallant" Sir Henry Morgan. It was not until 1687 that the British Government itself made any practical effort for the suppression of piracy.

Among the instructions given to Andros, in 1686, and to Dongan was an order to suppress "all pirates and sea-rovers," who had become such a nuisance that, in August, 1687, Sir Robert Holmes had been sent with a small fleet "for suppressing pirates in the West Indies." Pirates and Sea-rovers coming into any of the ports of the Colonies, were to be seized and imprisoned,

and their ships and plunder were to be held for the King's decision. Sir Robert Holmes was granted for three years all the goods and chattels taken by him from pirates or privateers, rendering his service one scarcely less of plunder than that of the pirates themselves. His interest was not to protect commerce and the Colonies from pirates, but rather to let the pirates get all the treasure they could and then to retake the treasure from them and appropriate it to himself.

Writing from Boston, August 31, 1688, Captain Nicholson relates his first experience with the pirates of New England, who made a part of the great world of outlaws.

In accordance with his instructions, he endeavored to suppress the illegal trade with them. He imprisoned "eight men supposed to be pyrates" who had belonged to one Peterson, from the crew of two famous West India privateers, *Yankey* and *Jacob*. Peterson was cruising off the coast in a barkalonga of ten guns with 70 men. He was at Rhode Island that summer; and against him Captain George went in the *Rose* frigate, while Captain Nicholson marched overland to his assistance. Peterson escaped. Nicholson indicted, however, some Rhode Island men who had traded with him; but failed to get the Grand Jury to bring in a true bill against them. He also held at Salem some shipmasters to be tried for trading with the robbers. These efforts to suppress piracy met with little sympathy from the chief men of Massachusetts, and some men Captain Nicholson had imprisoned at Boston for the offence were the next spring, under another authority, liberated. The illegal trade was too profitable to the New Englanders to be easily suppressed. Privateers were continually fitted out in the British American Colonies, and many buccaneers found refuge and encouragement there. The Carolinas, Virginia, as well as New York, Rhode Island, and Massachusetts, all share the odium of this scandalous renown. For many years privateers continued to rob the Spanish West Indies, and brought great booties to Boston. "This place," wrote Randolph, "was the common receptacle of pirates of all nations" and efforts to suppress the robbers were regarded as measures to "damp and spoil" the commerce of Massachusetts; and to "obstruct their

constant and profitable correspondence with Foreigners and Pirates," was very disagreeable to many persons who had even grown old in that way of trade. The chief attraction at Boston for the freebooters seemed to have been the Colonial mint, established in 1652, of which Samuel Sewall, whose diary has been quoted, was once master. The pirates were encouraged to "bring their plate hither, because it could be coined, and conveyed in great parcells, undiscovered to be such." Once the taste for the life of a freebooter had been acquired and the profits of it experienced, regular trade and settled labor became dull and unattractive. Even smuggling was more attractive by reason of its spice of risk. There was probably no port on the coast of America nor Europe in which could not be found mariners, pardoned or unpardoned, who at some time had been engaged in piracies.

In 1689, about the time Nicholson was leaving New York, two notorious pirates, Thomas Hawkins and Thomas Pound, were cruising upon the New England coast, and with great boldness committing depredations upon the inhabitants; but Nicholson was then too much handicapped to take notice of them; and his connection with such troubles remained suspended until his administration in Virginia.

The news of the birth of a Prince of Wales, on June 10th, 1688, reached Boston on the 16th of August, about 9 o'clock at night, and was enthusiastically received by Nicholson. He took pleasure in being the first to send the information to Andros at New York, and wrote, "tho I had it late at night, yett endeavored to solemnize it as well as the time and this place could afford." He issued a proclamation for a general thanksgiving, and Sewall says that "from 11 to 1 or 2 was drumming, Bonfire, Huzas, small and great Guns, Ringing of Bells, at which many startted for fear of fire or an Alarm; because the thing was so sudden, People knew not the occasion."

About the first of September Nicholson, anxious to be acquainted with the Five Nations, set out for Albany where he was ordered to meet Governor Andros who had gone up with fifty soldiers in a sloop to confer with the Indians, who, it was feared, were

coming under a dangerous influence from the French. Nicholson went overland by way of Springfield to keep an eye on hostile French Indians. Andros with Nicholson held a stately interview with the delegates of the Five Nations in the Albany town house. There were harangues by the native orators, and adroit replies by the Englishmen; and mutual friendship was reaffirmed.

Upon his return from Albany, hearing that the Bostonians had sent men without his orders to quiet the Indians in Maine, Andros set off overland for Boston, on the 4th of October "to prevent a second Indian war." Lieutenant-General Nicholson remained in New York at the head of affairs, assisted by Dongan's former councillors, Phillipse, Bayard, Van Cortlandt, Young, and Baxter.

*(To be concluded.)*

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ACTION BETWEEN AMERICAN AND BRITISH  
BARGES IN THE CHESAPEAKE BAY,  
NOVEMBER, 1782.

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COMMODORE WALLEY TO GOVERNOR PACA.

Pocomoke November 22<sup>nd</sup> 1782.

Sir.

On the 12<sup>th</sup> Inst the Barges under my Command lay in Onancock, eastern shore of Virginia, when we were apprised of five British Barges on the Sea Coast, standing to the Southward, and generally supposed intended into our Bay. The barges was immediately put in motion and on the 14<sup>th</sup> Inst arrived at Gwins Island, where it was supposed they would rendezvous if they came into the Bay. That night two of the said Barges came to under the East side of said Island. Early on the morning of the 15<sup>th</sup> we discovered each other at about one league distance; as soon as we were discovered the Enemy made down the Bay. A General chace ensued and about 11 A. M. the sternmost Barge was brought to by the *Defence* Capt<sup>n</sup> S. Fraizer; proves to be manned with Sixteen men and Com<sup>d</sup> by a certain Daniel I. Brooks (late of Dorchester County). We continue chace after the other then in sight, chased her without Cape Charles, and under Smith's Island discovered two other Barges. Gave chace but they had so great a Start that it was impossible to come up with them before dark. At 6 P. M. gave over Chace by which time we had chased them out of Wreck-Island Inlet to Sea, which lays abt five leagues to the Northward of Cape Charles. I am inform'd they have since rendezvouzed at Chingoteague and are there now, waiting as it's supposed for our Barges to go up; however am determined to continue as long as I possibly can, and have not the least doubt of frustrating any attempt they may make on this Bay.

We took two Lieut<sup>s</sup> belonging to the two Barges routed from Smith's Island, one of which I have taken the liberty of sending as an exchange for Lt Geo: Grison who was unfortunately taken prisoner when Comodore Grison fell. The other is one Peter Franks (a Portugee) who is notoriously known to be at and Privie to almost every House burnt in this State and on the Eastern Shore of Virginia. I have taken the Liberty of sending two others in exchange of two men active with . I must request you would acquaint the Governor and Council of our proceedings.

I am Sir,  
 with very much respect  
 Your mo: Ob<sup>t</sup> Hum<sup>l</sup> Ser<sup>t</sup>  
 Zedekiah Walley.

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#### ACCOUNT OF CAPT. FRAZIER.

Novem<sup>r</sup>. 27<sup>th</sup> 1782. Lying in Onancock Accom<sup>k</sup>, Virginia, wind at S, saw 7 sail standing up the bay. The Comodore give the signal for the fleet to weigh and stood for them, but night coming on was not able to discover what they were. Stood into Wat's Island harbour and anchor'd.

28<sup>th</sup> Early this morning saw several sail at Anchor under the lower Tanger Island which we took to be the same that we Discovered the Evening before, but the wind blowing strong at N. W. was not able to Discover what they were, but supposed them to be British Barges, as we had frequent Informations they were coming in the bay. The Comodore consulted the Officers and it was agreed from their superior number to ours to Dispatch an Express to the Lt of Accomack County to fit out a Barge that was Lying at Onancock and raise Volunteers to man her and the Barge we took from the Enemy and join our fleet. On the Evening of the same day, as the Messenger had not returned, the Comodore give orders to get under way and run into Onancock. At his arrival there was Informed that the Onancock Barge would be ready early in the morning, and volunteers ready to man her and the *Langodoc*.

29<sup>th</sup> Comodore Desired me to man the *Defence* with 40 pickt men from the fleet and proceed with as much Expedition as Possible to Tanger Island to reconoiter the Enemy. On my arrival there saw no sail of any sort, but Landed at one Crocket's under English Colours and made every enquiry after the American Barges. He Informd me that he knew nothing of them but had seen 5 of them Lying under Wat's Island the day before. He farther told that 6 Barges had Left his House early that morning and stood for Fox Island up Tanger Sound, and told him they shou'd stop at Cager Straits that night. After being well Informed of their number and Force returned to meet the Comodore. At 4 P. M. joined the Com. between Wat's Island and Onancock with the Onancock Barge and *Langodoc* and the Other Barges then under way after me. Informed the Comodore the enemy's number and strength. He ordered the Onancock Barge back as she cou'd not keep up with us, and a number of Gentlemen Volunteers came on board of the Different Vessels of our fleet. At 9 A. M. anchored off Fox's Island and sent the *Langodoc* on shore with Samuel Handy 2<sup>d</sup> Lt of the Comodore's Barge Comander, to know if the Enemy had stopt there on their way up the sound. On his return Informed us the Enemy left there at 2 o'Clock that Afternoon and stood towards Cager Straits. The fleet weighed and stood up the sound. At 4 A. M. fleet anchored, Cager Straits bearing W somewhat Northwardly.

30<sup>th</sup> 6. A. M. saw 5 sail in the Entrance of that Place. Our Barges at this time Drawing their rations on board the *Flying Fish*. Comodore gave Orders as soon as we had got our rations for our fleet to make sail and give chase. Ordered me at the same time if possible to bring them to Action. Asked the Comodore in what Position he wou'd wish to engage in. S<sup>d</sup> he did not think they woud engage us all, but if they shou'd and form a line he wou'd wish to form the same way the Enemy did. At this time our fleet in chase, the Enemy Appeared to be under easy sail standing through the straits from us. Agreeable to Orders pushed ahead about half Mile from the Comodore, Capt. Dashield next to me, Capt. Speddin next, Comodore next, *Lango-*  
*doc* next, *Flying Fish* some distance astern. At 8 A. M. saw the

Enemy take in sail and form the Line with 5 Barges and row a light stroke towards me. The Other Barge of the Enemy's row'd some distance to the right as if she did not intend to engage at all. Come in About 200 yd<sup>s</sup> of the Enemy's Barges and saw them Hoist their Colors still keeping the Line, coming Bow on. Took in sail, Hoisted my Colours. Capt. Dashield rowed round and fell in the rear of the Comodore and Capt: Speddin, *Langodoc* some distance astern of him. At this time the Enemy began a Heavy fire from their 5 Barges on me. Comodore and Capt. Speddin Coming up on my Larboard Quarter, I backt slowly astern to form the Line with them. Before we formed the Line received Two more fires from the Enemy's Barges which I returned with all the Guns cou'd bring to bear on them. Received 3 cheers from the Comodore and Gentlemen on board him. Capt. Speddin and the Comodore had begun to fire on the Enemy's Barges then being in the Line with me, Comodore on the Left, Capt. Speddin in the Center, and myself to the right. At this time a brisk fire from both sides was kept up. Discovered a fire broke out on board the Comodore near his Mizenmast and saw a number of Gentlemen Jump Overboard from his stern sheets. Capt. Speddin at this time on the Comodore's Larboard Quarter, Capt. Dashield and *Langodoc* astern. Was Informed on board that a second fire had broke out in the Comodore's Barge. On turning round to look at the fire Observed a number of men Jump Overboard. Two of the Enemy's Barges row'd to board him, the other 3 Barges kept a constant fire on my Barge. Was Informed by my 1<sup>st</sup> Lt that Capt. Dashield and *Langodoc* and *Flying Fish* were retreating as fast as they cou'd, Capt. Speddin still on the Comodore's Larboard Quarter and astern with all 3 of their Barges rowing on to board me. Rowed round, never discovered any signals for continuing the Action or to retreat. Thought it best to make the best of my way from the Enemy, Capt. Speddin retreating near the same time. The Comodore at this time boarded by the Enemy and his Colours struck, with one Barge along side of his Barge, the other 5 in Chase of us. Capt. Dashield bore away up the sound, Capt. Speddin and Myself following him, *Flying Fish* and *Langodoc* standing towards the

main, at 2 P. M. out of sight. Enemy's Barges still Keeping up the Chase, coming up with Capt: Speddin very fast. Lowered my mainsail down and spoke him and told him wou'd not leave him. At 4 P. M. Enemy gave over chase being then at the upper entrance of Hooper's Straits. Capt. Speddin, Dashield and myself had joined Company. Stood into Choptanck that night and was detained by wind and weather till Decem<sup>r</sup> 3<sup>d</sup>. Capt. Speddin and myself weighed at 11 A. M. Toods point. Capt. Dashield had Left us. At 7 that night arrived Annapolis Dock.

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#### ACCOUNT OF CAPT. SPEDDIN.

Nov<sup>r</sup> 30<sup>th</sup> '82. Fox Island. 6 A. M. went on board the *Flying Fish* and drew our rations. Observed at this time 5 of the Enemy's Barges Lying in Cager Straits. The Comodore gave Orders to weigh. Between 7 and 8 A. M. gave chase. Capt: Frazier and Dashield Led the Van, myself, Comodore, Sam<sup>l</sup> Handy in the *Langodoc* and a small boat belonging to Onancock manned with Volunteers. Capt. Frazier and C. Dashield come within a small distance of the Enemy. Position of the Enemy was 5 Barges abreast of each other rowing Head on, Advancing slowly. At this time Capt. Dashield rowed round and fell in the rear of the Comodore's Barge and myself. About this time the enemy gave Capt: Frazier several Fires, he did not return it till about the time I had formed the Line with him, fired my 6 pounder and bursted her the first fire, the Enemy still coming head on. My 1<sup>st</sup> Lt<sup>t</sup> Informed me of it. Gave him Orders to load her and try the remainder that was left. Fired her twice afterwards and found her Insufficient. Run out my 2- 12 pounders on my starboard side that I might bring all my guns to bear. By this time the Comodore had come up. Hallowed to him that I had lost my bow Gun and could not fire her nor Engage unless it was with my side to the Enemy. He gave me Orders to keep close to him. At this time he was shooting ahead which Obligated me to fall on his Larboard Quarter. A little before this the Comodore gave the Enemy several heavy fires from his 18



pounders ahead which Checkt the Enemy. I gave them a fire from my 2- 12 pounders, 2- 4 howitzers, one Swivel and Volley of Muskets. By this time the Comodore was blown up. Did not see him myself, but saw a number of men Overboard. A small time after this saw 2 of the Enemy's Barges Board him on his Starboard and Larboard Bow and soon got possession of his Barge. At the time I saw the Enemy's Barges Board him, gave Orders to Board the Enemy's barge that was next to me but my men was much Confused and wou'd not row alongside the Barge. At the same time saw Capt. Dashiell retreating as fast as he could and 2 Barges close aboard of Capt. Frazier. Gave Orders to retreat. Seeing 2 of the Enemys Barges giving Chase after Capt. Frazier, run out a 12 pounder out of my Larboard Quarter and gave them a fire with grape which Occasioned me to get ahead directly. Got my Stern to bear on them and gave them a Stern Chase with grape. Capt. Frazier close along side of me was the means of the 2 swiftest of their Barges not coming up with me. The Chase continued about 30 Miles. Never spoke Capt. Dashiell till the chase was over.

LEVIN SPEDDIN.

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COL. GEORGE DASHIELL TO GOVERNOR PACA.

Somerset County 5<sup>th</sup> Dec<sup>r</sup> 1782.

Sir

Since the Action on Saturday last between Comodore Walley and British barges I have not been able to obtain authentic intelligence before this day, when M<sup>r</sup> Samuel Handy (who commanded a small American barge and was privy to the Action) return'd from the Enemy. He went over with a flagg on Tuesday last. I doubt not but Your Excellency have been made acquainted with the force on each side and manner of Attack, by our barges who I presume went immediately to Annapolis after the Action. In the heat of Action the *Protector's* magazine was blown up. This circumstance is to be attributed to the Gunner's unfortunately breaking a cartridge as he handed it out of the chest. By the comodores orders he wet the powder that was spilt,

but not sufficiently to prevent its taking fire, which was occasioned by the flash of one of her small arms, to the great prejudice of the crew, numbers being kill'd and wounded by it, and the whole thrown into general consternation—They fought with the greatest bravery until over powered by numbers were obliged to surrender, after which they were most cruelly murdered and thrown over board by the negroes. None of the dead was carried to the shore, but the comodore and Lieu<sup>t</sup> Handy. Numbers of the wounded are carried to Onancock, Amongst whom are Col<sup>o</sup> Cropper and Cap<sup>t</sup> Levin Handy. The latter it is to be feared is mortally wounded in the head with a cutlass, four of the privates which belonged to this county has returend home badly wounded, I have employed a physician to attend them which conduct I hope will meet your Excellency's approbation. The whole of our people that fell into the hands of the Enemy is paroled, and the enemy's wounded is sent to Onancock to be attended by Physicians in Virginia. The Enemy's loss was considerable. Twenty-two men was kill'd and wounded on board Comodore Kidd's barge, and a Captain Allen on board the *Ranger*. M<sup>r</sup> Samuel Handy in a small barge with eight men, and Cap<sup>t</sup> Bryant in the *Flying Fish* got safe into Annemessix, where they both continue. Cap<sup>t</sup> Bryant has stript his vessel and sent his sails &c on shore. He has a considerable quantity of provission on board. I have wrote him this day, and advised him to land it, and have directed Cap<sup>t</sup> King to remove it from the Water. The Enemy's barges lie in Cager Streights. From the uncertainty of your receiving satisfactory intelligence of the Action our loss &c I have thought it advisable to write you by express on the Subject.—I have the Honor to be

Your Excellencies M<sup>o</sup> Obed<sup>t</sup> Serv<sup>t</sup>

GEORGE DASHIELL.

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CAPT. ROBERT DASHIELL TO GOVERNOR PACA.

Annapolis 5<sup>th</sup> Decem<sup>r</sup> 1782.

Sir

In compliance with your requisition I will endeavour to give you as minute a detail of the engagement between our Barges and

those of the Enemy on the 30<sup>th</sup> Ult<sup>o</sup> and all the circumstances attending the same, as came within my notice.

Our Barges lay off Jean's Island the morning of the engagement. About 8 o'clock we discovered six of the Enemys Barges lying at anchor in Carge's Straights about ten miles west of us. We all got under way and directed our course for them; they rowed off about a mile and then formed a line and came up towards us. No settled Plan of attack was agreed upon. I had received orders formerly from Cap<sup>t</sup>. Walley to bring up the rear whenever we shou<sup>d</sup> come to Action. Cap<sup>t</sup>. Frazier's Barge got up within 200 yards of the Enemy and I followed him with an intention to detain them untill our Barges all came up. Two of their Barges began a fire upon Frazier and gave him three fires, the last of which he returned—by this time our other Barges came up and I fell back in the rear of Cap<sup>t</sup>. Wally, the station assigned me. Cap<sup>t</sup>. Frazier retreated off the Starboard quarter of Cap<sup>t</sup>. Walley and Cap<sup>t</sup>. Speddin lay off the larboard Quarter, rather nearer the Enemy. Cap<sup>t</sup>. Speddin now began a fire upon the Enemy and bursted a six Pounder. Cap<sup>t</sup>. Walley then pushed forward, gave them three or four fires from the 18<sup>th</sup> Cannon and his Magazine aft took fire and blew up. Several men went overboard. I was at this time rowing up to form upon the left of Cap<sup>t</sup>. Speddin. The Magazine on board of Cap<sup>t</sup>. Walley took fire a second time and blew up Midship. The Enemy immediately boarded and took Possession of this Barge. A few fires from their whole force were then directed against us within a few yards of the Enemy. Cap<sup>t</sup><sup>n</sup>. Spedden returned their fire and retreated. Circumstances were such after the loss of Cap<sup>t</sup>. Walley as to render it necessary to secure a retreat, which was accordingly done by each remaining Barge. The Enemy gave chace and pursued us to Hooper's Straights, where they gave up the pursuit. Here we all joined and our Provisions being exhausted, men sickly, and badly cloathed, it was determined to come to this place. We then stood up the Bay and came to anchor that night at Cooke's Point in the Mouth of Choptank River. Next morning I fired a Gun and got under way and stood up the Bay. On the evening of the 1<sup>st</sup> Ins<sup>t</sup>. came to anchor at Poplar Island, but

neither of the other Barges joined me. The morning of the 2<sup>d</sup> Ins<sup>t</sup> fired a Gun, got under way and stood up the Bay for Annapolis where I arrived about 6 o'clock in the afternoon.

I am

Y<sup>r</sup> Excellencys

M<sup>o</sup> Ob<sup>t</sup> Servant

ROB<sup>t</sup> DASHIELL.

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COL. HENRY DENNIS TO GOVERNOR PACA.

Worcester County December 5<sup>th</sup> 1782

Sir.

You will receive by the bearer of this (Col<sup>o</sup> Challe) from Col<sup>o</sup> Crapper of Accomack County Virginia, a full Account of the Action fought between Commodore Walley, and the refugee Barges; which will prove much to the prejudice of Capt<sup>n</sup> Spedding, Frazier and Dashiell. However I am perswaded from the Idea that I myself the Commodore and the Officers under his command entertained of the bravery exhibited by Capt<sup>n</sup> Spedding, and Frazier on some other Occasions, that they will be able to give reasons that will in some measure alleviate the sensures that they now labour under from Col<sup>o</sup> Crapper and many others of the most respectable characters in Accomack County (who was Volunteers on board the Commodore's Barge and whose accounts all corroborate with those from the people belonging to her) however I can't conceive any reason w<sup>ch</sup>. they will be able to give why they did not go to the assistance of the Commodore after losing his magazine, when they saw he still continued to make the most obstinate defence, and knowing two of their Barges to be able to fight the whole of the Enemy's then in Action. The force of the Commodore was doubly superior to the Enemy's, and the men that was on board the Commodore's barge say that after losing their Magazine had they had fifty effective men that the Enemy never would have taken them.

The situation of the people in this and Somerset Counties is truly distressing, for the Enemy are now able to continue their depredations in any part of them, and in this County there is

neither Arms or Ammunition were the Militia disposed to make use of them (very few of which are, had they them) for the Ammunition that was furnished to the County heretofore has to my knowledge been given out to the Militia at different times and consumed by them in a very improper manner—The wounded men that I have seen from the Commodore's Barge says that there is a constant Intercourse kept up between the Inhabitants of the Islands in our State as well those of Virginia; that while they were prisoners on board the Enemies Barges that Inhabitants Voluntarily came off to them in numbers and gave them every information they were capable of. I am still much confused from this late misfortune our Fleet has met with, therefore must beg you'll excuse inaccuracies and

Am Sir Your most Obed<sup>t</sup> Humble Serv<sup>t</sup>

HENRY DENNIS.

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LIEUT. CROPPER TO GOVERNOR PACA.

Accomack county, Virginia, 6<sup>th</sup> December 1782.

Sir.

At the request of Captain Levin Handy I take the liberty of giving your Excellency a brief narrative of the action of the 30<sup>th</sup> of November ultimo, between the barges of your State and those of the enemy. On the 29<sup>th</sup> I went on board the fleet with about twenty five volunteers of the Accomack militia, by desire of Commodore Wally, and on the 30<sup>th</sup> the action was fought. The greatest part of the militia were on board the schooner Captain Brian, two or three were on board Frasier and Speddin, and myself and six others were with the Commodore. The fight commenced about ten o'clock and lasted about twenty five minutes. The Commodore's orders were for all the barges to keep up in line of battle, he said that he wou'd bear down upon the strongest of the enemy, and told the other barges by all means to support him. Captain Frasier and Speddin fired a few round shot at long distance, rowed about and run away; Captain Dashiell I believe never fired a shot, but kept at the distance of two hund<sup>d</sup> yards astern of the *Protector* and run off before the other two; Captain



Sam! Handy never fired a shot and run off nighly at the same time; Captain Brien never got up at all; and a six oared boat from Onancock never got up at all.—It is a painful task for Me who entertained an exceeding high opinion of some of the Captains, to speak so freely of them, but love for my country, and the justice due to the memory of the brave Commodore, and his brave crew, oblige Me to say that, (in my humble opinion) there never was before upon a like occasion so much cowardice exhibited. They may possibly have reasons for their conduct that I know nothing of; if any of them have, I hope they will forgive me.—This conduct, Sir, brought on us the fire of the whole enemy, which was severe, and it was as severely returned by the *Protector* until the enemy were within fifty yards, when our eighteen pound cartridges catcht fire amidships; the explosion of which burned two or three people to death, caused five or six more all afire to leap overboard, and the alarm of the barge's blowing up made several others swim for their lives. The enemy almost determined to retreat from our fire as they told us afterwards, took new spirit at our disaster and pushed up with redoubled fury. On the other hand our crew opposed them with the most daring resolution; there was a continual shower of musket bullets, pikes, cold shot, cutlasses, and iron stantials for eight or ten minutes, till greatly overpowered by numbers, and having all the officers of the barge killed and wounded we surrendered, after having wounded their Commodore, killed one Captain, wounded another, killed and wounded several inferior officers, and killed and wounded eighteen of the barge's crew that first boarded us (the *Kidnapper*). Commodore Wally was killed at or near the long 18 pound; acting the part of a cool, intrepid gallant officer; Captain Joseph Handy fell near the same part, nobly fighting though he had lost one arm some time before; Captain Levin Handy saved his life, but deserves no less said of him than has been said of the others—in short, there was not one man on board the *Protector* but what behaved well. After the surrender I entered into an agreement to take such of the enemy's wounded ashore as chose to go, and have them taken care of at my expence, upon condition that they wou'd let all our prisoners and

wounded go ashore also ; therefore I will be very glad that your government will pay Me for the medicine, provision, and attendance of such men as belong to the State of Maryland, and doubt not but our government will pay Me for the Virginia and Enemy's wounded. I have the honor to subscribe myself,

Your Excellency's most obedient humble Servant

JOHN CROPPER JUN<sup>R</sup>

County Lieutenant Accomack.

P. S.—I have inclosed to Captain Levin Handy a list of the prisoners, killed and wounded, that gentlemen being badly wounded prevented his obtaining a list before he left Onancock, and I am so ill of my wounds at this time that I can scarcely write.

J. C.

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COL. ROBERT DONE TO GOVERNOR PACA.

Snowhill December 7<sup>th</sup> 1782

His Excellency W<sup>m</sup> Paca Esq<sup>r</sup> Governor

Sir,

As it is probable you are yet in the dark respecting the Engagement between Commodore Walley and the British Barges, have taken the liberty to give you the intelligence I have received from Cap<sup>t</sup> Levin Handy, who was an officer on board the *Protector* ; and at whose request I now address you, as he is unable from his wounds to do it himself. He received seven wounds in the Action but none of them supposed to be mortal. On Saturday last the Commodore after receiving a considerable reinforcement of Gentlemen Volunteers from Accomack ; set out from Onancock to attack the Enemy, after receiving the strongest assurances from the Commanders of the other Barges to stand by and support him to the last. The Commodore, Frazier and Spaddin soon came to Action with them ; the Commodore was attacked by two of their strongest Barges, and was soon left to the mercy of the whole.

He had the misfortune to have two of his Ammunition Chests blown up just before they laid him on board; which blew up a considerable number of his men and put the rest into a good deal of confusion. The Action then became desperate, and Frazier and Spaddin went off without offering any further assistance. As for Dashiell, Capt. Handy and other Gentlemen on Board the *Protector* say that to their knowledge he never fired a Gun; and tho' able to go ahead of them, gradually dropt astern and most shamefully deserted them. The Commodore depended much on Frazier and Spaddin: how their Conduct will appear upon an enquiry into the matter, time can only determine: but at present every Gentleman that has survived of the Commodore's unfortunate Crew (and even the Enemy themselves) reprobate it. Out of the *Protector's* Crew only eight escaped, but were either killed or wounded; all of the wounded since dead. How many were killed, I cannot exactly inform you: but I fear a great proportion. The Commodore fell nobly, never did man shew more coolness, courage and good conduct than he did to the last: inspired with the love of liberty, and the glorious prospect of revenging in some manner the injuries and insults of his Country, he fell a sacrifice to the most abandon'd and inhuman wretches that ever disgraced the name of man. Poor Cap<sup>t</sup>. Joseph Handy (his first Lieutenant) tho' inferior in Command fell with equal bravery: after having one Arm broke he still continued to fight with the other 'till death put an end to his noble career. Captain Christian (a Gentleman Volunteer from Virginia) shou'd not be forgot: he too behaved with the greatest bravery, but was unfortunate enough to receive a wound of which he is since dead. Col<sup>o</sup>. Cropper of Virg<sup>a</sup>. and a number of other Gentlemen Volunteers from that quarter were wounded, but none of them supposed to be mortally so. The *Protector's* men from the brave Commander down to the lowest Station on board (a very few exceptions) behaved as well as any men on Earth cou'd have done, and Cap<sup>t</sup>. Handy is of opinion if their Ammunition Chests had not blown up; that unsupported or betrayed as they were, they shou'd have got the better of the Action. Cap<sup>t</sup>. Handy requests me to inform your Excellency that he has incurred an expence of about

£120 in having our wounded men dressed and attended to in Virginia where they were put on shore, which he earnestly requests may be remitted him by Col<sup>o</sup> Chaille who will hand this to your Excellency. The whole of our men that are alive are parol'd.

I have the honor to be your Excellency's  
most obed<sup>t</sup> Serv<sup>t</sup>

ROBT. DONE.

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CAPT. LEVIN HANDY TO GOVERNOR PACA.

Sir,

I make no doubt, but before this you have been informed of Commodore Walley's misfortune; however it is probable it may be imperfect as I am the only Officer from the Commodore to the Gunner's Mate that survived, shall endeavour to relate the Circumstances as nearly as my memory will admit. On Wednesday the 27<sup>th</sup> of Nov<sup>r</sup> we lay in Onancock, where we had been Wind bound for several Days, which detained us from pushing after the Enemy, who we were informed was on the Sea side at Chingotegue Island, but the Wind which detained us brought them into the Chesepeake. The number of Barges we had an Acc<sup>t</sup> of were six. On Wednesday the Day above mentioned, we got out of Onancock about 1 P. M. in order to meet a small Privateer, which we were informed was laying off Watt's Island with four Prizes.

As soon as we cleared Onancock Barr we discovered seven Sail baring S S W; which we soon discovered to be Barge-rigged one of which had the appearance of a Galley. Capt. Bryan in our supply Boat, making much better weather than us stood near them, and on his return informed us that it was his Opinion, that one was a Galley, which confirmed a Report we had of a Galley joining them. They stood their course for the Tangier.

It was then generally concluded, (tho' must confess contrary to the Commodore's or my own opinion) to push after them to the Tangier Coast, where it was supposed they would come to. Upon finding it would be impossible to gain them before night,

I was much against pushing them, and gave such Reasons to the Commodore, that he determined not to risque an Engagement in the night: (I imagine if I had never seen anything of the kind in the night, I might have been as anxious as any other Officer; but from what I had experienced when in the Land Service, convinced me that Expeditions in the night gave a shock to the greatest Veteran). It was then concluded to make Watt's Island Harbour which was from the Enemy's place of rendezvous, about three leagues, and about 7 P. M. came to in the Harbour before mentioned in a Gale of Wind at S. W. It was the Commodore's intention to reconnoiter the Enemy the next Day and endeavour to gain their force; if a Galley was among them he was determined not to attack them, but if only the six Barges which we had gained every Information of that was necessary, and being convinced they were not able to stand our force, it was the determination of the Commodore to make an Attack, there not being a doubt among any of the Officers, but we were very able to drub them; and some of the Officers were sanguine enough to think, we ought to attack, if there was a Galley among them. However the Wind being at N. W. on the next Day put it out of our power to reconnoitre the Enemy as they lay almost in the Wind's eye from us. In the Evening it was concluded to return to Onancock, which Harbour we reached a little before dark. The Commodore sent an Express to Col. John Cropper, commanding Officer of Accomac County, soliciting a few Men in order to compleatly Man our Barges, and as well a Barge or Galley that belonged to Accomac and then in Onancock. The next Morning (Friday) being moderate the Commodore dispatched the *Defence*, Captain Frazier, to reconnoitre the Enemy. At 10 A. M. Col. Cropper joined us with about fifty Militia, which compleatly manned the Onancock Barge. We then got under way and stood out and about 1 P. M. came to without the Barr, where we were to await the return of Capt. Frazier and about 3 he joined us and said he had been in the Harbour where the Enemy had been two nights last; and that we might rest assured there was only six Barges and that the seventh sail which we saw was a Prize to them, and that they had that Morning got under way and stood up Tangier



Sound. Upon this Information it was concluded to discharge the Onancock Galley and only take such Volunteers as would act on board our State Barges. Col<sup>o</sup> Cropper and sundry other Gent<sup>l</sup> came on board the Commodore, who near or fully manned us. About 4 P. M. got under way and stood up the Sound and manned a small Barge which we took from the Enemy on the 16<sup>th</sup> Nov<sup>r</sup>, the Command of which was given to L<sup>t</sup> Sam<sup>l</sup> Handy of the *Protector*. At ab<sup>t</sup> 10 P. M. came to off Fox's Island. I was then ordered by the Com<sup>o</sup> on board of L<sup>t</sup> S. Handy to go on Shore and gain what Intelligence I could of the Enemy. I accordingly landed and was informed the British Barges passed there that Afternoon and stood for Cager's Straits. At 4 P. M. Saturday Morning got under way and stood up the Sound. At Daylight sent on board a small Schooner which lay above Jam's Island to gain information, who informed us that the British Barges certainly lay in Cager's Straits as he had seen their lights just at the break of Day.

The Commodore then informed the other Barges of the same and let them know it was his Opinion the Enemies Barges' push would be at him, and requested they would take notice and support him; which they all positively declared they would do or all sink together. At 8 A. M., we discovered the Enemies Barges under way standing from us, as we supposed endeavouring to make their escape; however they soon hove to. We then knew they meant to make battle, and continued our Course, bearing down on them. At about half past 9 A. M. the action commenced at long shot between our Barges and the Enemies, but reserved our shot from our long 18 Pounder until we thought it was in our Power with round and Grape to sink them; however it had not the desired effect, tho' it gave them a considerable shock.

Our Long 18 was but twice fired, when by Accident one of our Ammunition Chests blew up which confused us greatly; we discharged her afterwards and before we could charge and direct her again, three of the Enemies Barges were along side; when the second Ammunition Chest took fire which caused several of our

Men to jump overboard and disabled many others. Upon that, and seeing our Barges did not give us the Assistance we expected, and they falling astern, I spoke to the Commodore and asked him if he thought we had not better strike; who returned for answer, he should not. I then gave all the attention to my Musquetry in my Power, everything being in the greatest confusion. The Ammunition which blew up belonged to the short 18 Pounders in our side which rendered them useless. The Commodore fell shortly after their Musquetry began to play upon us, and L<sup>t</sup> Joseph Handy fell near the conclusion of the Action. We being much overpowered and our Men chiefly drove from their Quarters, the general cry was on board for quarter, which our Enemy positively refused. We were soon boarded by their Blacks and little mercy shewn to any of us.

I received seven Wounds, but am happy to inform you none are mortal.

I am at a loss to know what to think of Frazer and Spedden: their behaviour was exceedingly odd, tho' I do not believe they are Cowards. As to Dashiell I pronounce him a Coward, and as such I hope he will be treated. L<sup>t</sup> Sam<sup>l</sup> Handy who had the command of the small Barge I believe did as well as he could: he never left us (altho' he could do us little good) until all the other Barges were on the flight. Captain Bryan in the supply Boat was to have been up, but was prevented by the Breeze's falling, which was, I believe, fortunate, as I am doubtful he never could have got off. I desire Col. Done to write for some Cash to be sent to me in order to defray some Expences that have incurred since our being captured; which I am in hopes to receive by Col. Chaille. L<sup>t</sup> S. Handy waits on your Excellency with this and likewise a pay bill for three Months pay which I beg may be paid to him, as the men who are left chiefly spoke to me to act for them. Inclosed you have a List of the killed, wounded &<sup>ca</sup>

As soon as I am able to ride, shall do myself the Honour of waiting on your Excellency, I must beg you would excuse any incorrectness in this, as you may rest assured I have not been

able to set up as long since I rec<sup>d</sup> my wounds, as I have since I began this Letter.

I am your Excellency

Most Ob<sup>t</sup> Hum<sup>l</sup> Serv<sup>t</sup>

LEVIN HANDY.

Snow Hill 13<sup>th</sup> Dec<sup>r</sup> 1782.

NB. It was generally supposed  
the Action lasted 25 Min<sup>ts</sup>

L. H.

List of Kill'd and wounded on board the Barge *Protector*.

Kill'd

Zedekiah Walley, Comm<sup>dr</sup>

Joseph Handy, 1<sup>st</sup> Lt

Capt. Geo. Christian, Volun<sup>tr</sup> from Accomack

Charles Fournier, Gunner &

Seven Privates. Total 11.

Wounded

Levin Handy &

25 Privates

two of which since dead. 26.

Accomack Volunteers Wounded

Col<sup>o</sup> John Croper

Major Smith Snead

Capt. W<sup>m</sup> Snead

M<sup>r</sup> John Revel. 4.

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CAPTS. FRAZIER AND SPEDDIN TO GOVERNOR PACA.

Sir.

Several Letters have lately been recev<sup>d</sup> by your Excellency from Somerset and Worcester county giving an Account of the late unfortunate engagement with the British Barges which reflect the highest dishonor on our conduct. We are convinced that by having a full and impartial enquiry into the Circumstances of that Day's transactions Our Judges cannot fail to acquit us, and we now most Earnestly Solicit your Excellency to appoint some speedy mode of Enquiry, for till that can be done, our reputations

are suffering the Lowest censure. I have the Hon<sup>r</sup> to be your  
Excel<sup>o</sup> most Obed<sup>t</sup> and very Hum<sup>l</sup> Serv<sup>t</sup>

SOLOMON FRAZIER.

LEVIN SPEDDIN.

12<sup>th</sup> Decm<sup>r</sup> 1782.

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BRITISH PRISONERS.

List of the Prisoners belonging to the Barge *Jolly Tarr*, Com-  
manded by Daniel I. Brooks, captured on the 15<sup>th</sup> November  
1782.

Daniel I. Brooks (Commander)

Jacob Extine, Prize Master, late a Lt on board of }  
*Wayland*, (says he's been exchanged) }

Samuel Outten, prizemaster, late a Cap<sup>t</sup> of a barge }  
taken on Delaware, sent to Dover Goal ; broke }  
from the Centry and made his escape. }

George Frost, sent in exchange for a man active }  
with us. }

James Dickson, Paroled

James Williams, A Deserter from Gen<sup>l</sup> Smallwood

William Bass

Charles Baker

Thomas Morgan, Paroled

John Stansberry

Michael Poor, Paroled

5 Negroes retained on board the Barges

L<sup>t</sup> John Curry, of the *Jackall*, exchanged

L<sup>t</sup> Peter Franks (of the *Victory*).

RESISTANCE TO STAMP ACT.

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[The following papers relating to the resistance to the Stamp Act, are taken from documents in the Public Record Office, London, transcripts of which were procured through the agency of Messrs. B. F. Stevens and Brown, of London, and presented to the Maryland Historical Society by Richard D. Fisher, Esq.]

Extract of a Letter from M<sup>r</sup> Zachary Hude, Distributor of Stamps for the Province of Maryland, dated at New York, Sept. 23, 1765.

Our Province (Maryland) is extreemly heated. They have cut an Officer of the Sender in a shocking manner, pull'd down my House, and obliged me to flie (with a single Suit) or expect the same Fate as the Officer.

Extract of Letter from M<sup>r</sup> James Parker, an Officer in the Customs at New York, Sep. 22, 1765.

Commotions about Stamp Act. thinks many Americans will die rather than submit. Fermentations mostly to the eastward.

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Endorsed

Intelligence from the Colonies, relating to the Stamp Act.

From M<sup>r</sup> Benjamin Franklin.

Read Nov<sup>r</sup> 26, 1765. not to be entered in the minutes.

Amer<sup>a</sup> Cont<sup>t</sup>

New York Nov<sup>r</sup> 10<sup>th</sup> 1765.

Sir

Be pleased to acquaint the Honorable the Commissioners that I have received my Deputation and Instructions, which will strickly follow whenever it is in my power.

The Stamps are to be sent in a Man of War to Maryland, as



they are in safety I apprehend nothing more can be don, untill the Law is Generally Complied with in the other Colonies, for to Distribute them from a Ship of War as Intended, it will not admit of, as Times now are, and from the Spirit that is in America, it might still Increase it. Governor Colden has binn oblig'd to deliver up the Stamps to prevent the Fatell Consequences. I have received no letters with the particulars of the Parcels of Stamp Parchment and Paper Consigned me (in Mr. John Hughes Bill Lading) if any sent they are destroyed, which is the fate of all letters for me, meats with in Maryland.

I perceive by my Instructions, I am to appoint Sub-Distributors in every Town and Country in the Province, this will requir a large Stock of Stamp Paper to lodge a sufficient at each place, on the other side is the sorts that the Graitest Quantitee will be wanted for whenever the Law is Inforced. It will be some time before there will be such Men got as may be depended upon, for Sub-Distributors, for everything will be done to prevent it, and a Number of Complaints will follow from those very people who is the Cause of it, it will not be in my power of Attending in Person at each place, it would be remissness in me not to mention the above, for no person is allowed to Transact any kind of busiñess for me, they have binn forbid by sum of the House Burgises with threatning, thus am I Circumstanced, driven out, the Graitest part of my Fortune sunk, my Business at an End, notwithstanding I will discharge my duty whenever its in my power in this or whatever may be Intrusted to Sir

Your very Humble Servant

ZACH: HOOD.

To John Brettell Esq:

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Extract of a Letter from Charles Steuart Esquire surveyor Genl in America to the Commissioners of the Customs dated at Philadelphia 7<sup>th</sup> Dec: 1765.

Gentlemen.

Your Honours, I presume, have been informed of the distracted State of this Continent on Account of the Stamp Act, I

am but ill qualified to give a Description of it, for though I have travelled near 2000 miles since my Arrival in America, I have been fortunate enough to escape all the scenes of Rage and Madness that have been acted in it. I must therefore beg Leave to refer to the Accounts from those Officers whose Residence enabled them to give more full Information and particularly to the Officers at New York, where the fury of the Mob committed great Excesses. All the Distributors of Stamps between Halifax and St Augustine have been compelled to resign their Commissions, and no stamp papers can be obtained in all these Countries, this has thrown them into great Confusion. The Courts of Law are shut, Redress for Injuries cannot be obtained, debts recovered, nor Property secured or transferred. But the Evils necessarily occasioned by a Stop to the internal business and Police of the Colonies, are not equal to the Consequences of shutting up their Ports at this season of the year—permit me briefly to enumerate a few of them. Thousands of Seamen and Others whose sole Dependence is on Navigation not only rendered Useless to their Country but deprived of the Means of Subsistence, Provisions for which there are at this time large Orders, particularly for Corn for France, Spain, Portugal, the Mediterranean &c must perish on hand, while famine may spread itself through our West India Islands by being suddenly cut off from their usual Supplies; Ireland would be greatly distressed by the Want of flax seed from hence, on which her linen Manufacture depends; Other Articles of Produce by which Remittances may be made to Britain detained in the Country—the Revenue lessened, and trade and Navigation the Source of Wealth and the Support of a Maritime and Commercial Nation, entirely stopped, which must be attended with Ruin to Multitudes and distress to All. These are weighty Considerations, but a stronger Inducement for proceeding to Business here and at New York still remains.

The Officers at both Places have by their Address and prudence evaded for a full Month granting Clearances, in hopes that some way would be opened by which they might be extricated out of their Difficulties, that time did not pass without strong Applications and even threats, which they had great Reason to

believe would soon become very serious. It is supposed there are now in this Port 150 Sail of Vessells; the frost generally sets in about Christmas, and continues upwards of two Months; Nothing is more certain than that so great a Number of Seamen shut up for that time, in a town destitute of all Protection to the Inhabitants, even a Militia, would commit some terrible Mischief, or rather that they would not suffer themselves to be shut up but would compel the Officers to clear Vessells without Stamps this would undoubtedly have been the Consequence of a few days longer delay. And, I hope, I need not add, it would have been highly imprudent to have hazarded the Event; the least Evil attending it would in all probability have been the Loss of about £5000—belonging to the Revenue in the Custom house.

The Collector came to me on the Morning of the 2<sup>d</sup> Instant, told me his Situation, his Apprehensions and his Resolution of proceeding to business immediately; I could not refuse my Approbation and wrote circular Letters to all the other Ports in the district except Quebec, a Copy of which I have the Honour of sending herewith. I had before written to the Officers at New York when that City was governed by the Mob, that they must clear Vessells, if necessary, which they every Moment expected to be forced to, but the Arrival of their Governour gave them some Respite, and they got leave to wait till Philadelphia should take the lead; they accordingly began the 5<sup>th</sup>. The Governours were applyed to, but thought proper to observe a cautious Silence. I might have done the same, but do not think it honourable, nor consistent with my duty to withhold my Advice and Opinion in a Matter of Difficulty, when called upon by those who have a Right to demand them.

Having now without Exaggeration laid before your Honours the Situation in which the Officers of these two Ports stood, it is humbly hoped that, abstracted from any Reasoning on the Propriety of the Step they have been compelled to take, their Conduct and my Approbation of it will stand justified on the Plea of Necessity and Self Preservation.

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TO THE RIGHT HONOURABLE,  
THE LORDS OF THE TREASURY.

The Humble Memorial of Zachariah Hood late  
stamp Distributor in Maryland North America.

Humbly Sheweth,

That the appointment of your Memorialist to be a Distributor of the stamps (at the Recommendation of the late Cecilylus Calvert Esq<sup>r</sup> uncle to the Right Honourable Lord Baltimore) was productive of Consequence to him very fatal and Distressful, that on the arrival of the commission together with a large quantity of your Memorialists goods from England, he was obliged to leave them all exposed to the rage and fury of the populace : so that it was with the utmost difficulty, and at the hazard of his Life, he escaped with one suite of clothes to the Fort at New York, which he was compelled to do or to resign in form, the latter he could not think of submitting to, as it would have been a breach of an important trust committed to him by his Majesty.

Thus the business of your Memorialist as a Merchant was ruined, his views and expectations disapointed, his connections destroyed, and his goods left unsold part of which perished ; as no person dared to act for him or even so much as to correspond with him, after your Memorialist had been banished and deprived of his all, he thought that when the stamp act was repealed he might be permitted to live quietly amongst his friends, with these hopes he returned to Maryland, but soon found that their resentment continued, for they said that your Memorialist was the only person employed by his Majesty who refused to resign, as these prejudices still remained and he had lost both his Mercantile business and Interest, together with that esteem in which it is well known he was once held by his countrymen, he was induced to Leave the Colony and seek some other place where he might spend the remainder of his Days in peace and safety.

That your Memorialist presumed some time ago to present a state of this his Unhappy case but being unable to live in the Kingdom unemployed hath since been under the Necessity of

undergoing the greatest fatigues of mind and Body in Voyaging to the West India's as a bare means of Support until it should please his Majesty to bestow on him some mark of his Royal bounty.

The British Parliament after the repeal of the stamp act having been pleased to recommend all the suffer's by these appointments to his Majesty for protection and support, your Memorialist presumes to lay before your Lordships the state of his unhappy case, humbly hoping that it will be found to be such as will recommend your Memorialist to some degree of your Lordships notice, approbation, and encouragement, and assuring your Lordships that your Memorialist shall ever esteem the least mark of his Majestys Bounty and Approbation Conferred on him through your Lordships recommendation an ample satisfaction and reward for all his sufferings brought upon him in consequence of his faithful and steady perseverance in his Duty, and that your Memorialist will Anxiously Endeavour to justify your Lordships Recommendation of him to his Majesty by a faithful diligent and Unshaken discharge of the Trust reposed in him, and your Memorialist shall ever as in duty bound pray.

ZACH: HOOD.

Old Broad Street N<sup>o</sup> 2

(Endorsed)

Memorial c<sup>d</sup> / Zachariah Hood / late  
Distrubutor of Stamps / In Maryland. / Rx Feb. 19, 1771.

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## HEAMANS' NARRATIVE.

[See note, Vol. III, p. 288.]

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An additional brief NARRATIVE of a late bloody design against the Protestants in Ann Arundel County Severn in Maryland in the Country of Virginia—as also—of the Extraordinary deliverance of those poor oppressed people. Set forth by Roger Heamans Commander of the ship *Golden Lyon*—an eye witness there

London July 24—printed for Lioenell Chapman at the Crown in

Popes Head Alley—1655

*Narrative, &c.*—That the 6th of Nov. last in the year of our Lord 1654, he set sail from the Downs then outward bound for the Bay of Virginia for the parts of Patuxent and Severn thro the blessings of God arrived at Patuxent the 29 of Jan. following. That within two days after his arrival at that Port there came a boat with about five persons therein to the ship side and by information of one of his ships company who formerly had been at Maryland, declares that Capt. Stone, formerly Gov. Stone, was there. He therefore called assistants of his ships company to man the ships side to accommodate the coming up of Mr. Stone into the ship, where after some civil respects shewed him, he called for a glass of wine and drank to him by the name of Gov. Stone—at which he replied, he had formerly been a governor, but was not so now—that Governor there at present was one Capt. Fuller, a gentleman lately settled by the commissioners of the Parliament of England—and that Mr. Fuller was then at Severn. He was likewise so informed by the inhabitants of Patuxent, but understood nothing of any difference or hostile preparations in the least.

After some dispatches of affairs in relation to the proceedings of his voyage and hard weather was broken, y<sup>e</sup> 16th day of Feb.

early in the morning set sail for Severn where he arrived late that night, and settling the ships business went the next morning ashore to attend the governor whom he found there, and having given the Governor satisfaction as to his intended proceeding came aboard his ship again.

On the 15th of March following in order to his voyage left directions with Mr. Cole, his mate, concerning the ship and manned forth one of his sloopes and himself went for Roads Rivers some 7 leagues distant from thence to procure goods, but before he could dispatch his business there, received a particular message from Capt. Fuller, the governor, then also at Severn, requiring him presently to attend him, and that his men might presently repair to his ship there at an anchor at Severn. He not knowing what speed such a message might require, left his business and endeavored as soon as might be to wait upon the Governor. But as he drew near he perceived a peice of ordnance fired from his ship which much amazed him and his boats crew, whereupon hastening to the ship, at his coming on board he there found Gov. Capt. Fuller with Mr. Cole whom he had entrusted the care of his ship unto and demanding the reason of firing of that gun, he told him it was by the Governors order.

The Governor forthwith related to him that he had received certain intelligence that Capt. Stone with a party of Roman Catholics, malignant and desaffected persons who had called to their assistance a great number of heathen were in arms—and what other they could not by force persuade, they forced along with them, plundering all that refused to assist them. That they had privately designed the destruction of the Governor and all the Protestants of Severn, and to destroy men, women and children that should not submit to their wicked design. And this the better to carry out their interest was under pretence of bringing into subjection those factious people in the county of Ann Arundel to the obedience of L. proprietary—not owning the Lord Protector of England &c., his power in the least.

The Governor also further informed him that the design was against him, his ship and company—if they would not assist Capt. Stone to fire his ship riding at anchor and to be effected

by one Abraham Hely, a seaman who run away from his ship at Patuxent, and this design so settled that Capt. Stone and his soldiery were ready to march.

The sudden news of such horrid treachery to be acted by such instruments put the poor inhabitants into so lamentable a condition, in respect they were so surprised that they had no deliverance to expect, but only extraordinary providence from God having formerly by sad experience known the malice of their adversaries against all that owned the way of God in truth.

The Governor desired that many of trembling women and children might come on board the ship which was granted. In the mean time his council and the inhabitants consulted their own safety and agreed to have a letter drawn up to be directed to Capt. Stone and sent him by messengers of their own by the ship wherry.

A first message having been sent to demand his power and the ground of such proceedings—the second message to him being such low terms that those that sent it were greived at their hearts that it ever went out of their hands—which was as followeth :—

For Capt. W<sup>m</sup> Stone.

Sir :—The people of these parts have met together and considered the present transactions on your part—and have not a little marvelled that no other answer of the last message hath been made than what tended rather to make men desperate than conformable, yet being desirous of peace, do once again present to you serious considerations on these ensuing proposals as the mind of the people.

1. If you will govern us so as we may enjoy the liberties of English subjects.

2. And that we may remain indemnified in respects of our engagements and all former acts relating to the Reducement and Government.

3. That those who are minded to depart the province may freely do it without any prejudice to themselves or estates. We are content to own yourself as Governor and submit to your Government. If not we are resolved to commit ourselves into the hands of God and rather die like men than be made slaves.

W<sup>m</sup> Durand, Secrety.

But no answer to this was returned but the same paper in scorn sent back again. The messenger being despatched from the Governor and Council had the ship *Golden Lyon's* wherry for their more speedy passage, and they accordingly came to Capt. Stone, whom with the whole body they met at the Cliffs, some marching by land and others in sloops or boats coming by water in pursurance of the bloody design.

And upon the messengers coming to him to present the letter he immediately in a rage commanded the messengers to be taken in to Guard and took away the wherry, yet two of the messengers escaped and came to Severn and acquainted the Governor and Council of the enemies proceedings and what further intelligence they could meet with. And that withal that Capt. Stone had so ordered that if the commander of the ship *Golden Lyon* would not assist him and his company the ship should be fired as it lay at anchor by a servant of the commanders that run from him at Patuxent.

The Governor and Council in order to their security sent several warrants requiring observance of their commands, one whereof was directed to the relator hereof as followeth:—

To Capt. Roger Heamans, Commander of the *Golden Lyon*, now residing at anchor in Severn River in Providence.

Sir:—The Government of Maryland hath been settled by the supreme authority of the Commonwealth of England and confirmed by the said power which is expressly owned what their Commissioners Rich. Bennet Esq. and Col. Will. Claiborne and Capt. Edward Curtes had done, and since by the Lord Protector which is now contradicted by the Lord Baltimore and his officers without showing any power—these are in the name of the Lord Protector of England and to will and require you the said Capt. Heaman with your ship and men to be for the service of the Lord Protector and Commonwealth of England in assisting to your power the people of Providence oppressed.

Given at Providence the 22 Mar 1654.

Wil Fuller.

The Governor sent a second warrant dated 23 of March following.

These are in the name of his Highness the Lord Protector to will and require you Capt. H. Comm.<sup>r</sup> of y<sup>e</sup> *Golden Lyon* to command all such boats and vessels as now arrived or shall arrive to disturb the Government here settled under his Highness the Lord Protector and there to detain until further ordered herein as you shall answer the contrary to your peril.

Given 23 March 1654.

William Fuller.

Directed to Capt. Roger Heaman.

This day in the evening, the ship *Watch* descried a boat rowing near to the ship, which they commanded in. And when the men were come on board they presented a letter from Capt. Stone directed to the relator here of, who as soon as he received it went forthwith ashore and showed it to the Governor and Council. The effect is as follows:—That he had heard the relator would with his ship and company aid and assist the people of Severn against the Lord Baltimore's Government which by persuasions he desired a desistance from and that for his satisfaction he had sent a petition presented to his Highness the Lord Protector and with al his Highness ordered there upon declaring against the Government of Richard Bennet Esq. in Virginia, yet in truth sends no such things in the letter but appointed the bearer to say so. Therefore Capt. Fuller and the Council being well satisfied as to the matter of the letter that it was of no great weight, desired the letter might be answered by the Relator as he thought and send away the messenger, who presently writ a letter to Capt. Stone as followeth:—

Sir:—After my services to you presented, these are to certify you, I have received your letter wherein you write to me of several things in particular—as [not] to resist your power which you have from the Lord Protector of England, a thing altogether disowned by yourself to me at Patuxent and which if I once could see I should readily with my ship and life be ready to



serve you but expecting to have received as copy thereof as you write to me and satisfaction of the truth thereof I find it only reported by yourself and of no more credit. I find at Severn the government settled in Capt. Fuller by the supreme power of England, and since established by the Lord Protector, which Sir I am bound to obey. I have received several warrants from them which this bearer hath seen and desire you to be satisfied therewith—which is all at present &c.

R. H.

From aboard the *Golden Lyon*, March 23, 1654.

The same messenger then also received a letter from Mr. Richard Owen directed to Capt. Stone. Mr. Owen was a merchant then aboard the ship and by his letter certified him as followeth verbatim :—

Sir—my kind love and respects to you presented, hoping of your good health—these are to certify—that I have seen the letter you sent to the commander of the *Golden Lyon* which is my loving friend wherein I understand that you have heard strange reports that he should act I am sure for his part that he desires to meddle neither with one thing nor other but to ply his voyage, which is that he came to do. But I think you cannot blame him to obey the power here until such time as you show him yours; and then I am sure he will to the utmost of his power obey you in what you shall command him and not only him but I myself and all the people in this place—for we must and will own and obey the Government of the Lord Protector of the commonwealth of England and am sure if you do but once produce that from His Highness you need not think the people will do anything else but obey you. Sir the Captain and I dealt with Mr. Preston of Patuxent for some goods and now here we are like to suffer in by reason of you which I hope Sir we shall not need to fear. Do therefore crave to rest as your friend and kinsman to command (*Golden Lyon*, Mar. 23, 1654).

Richard Owen.

The relator receiving daily intelligence of the threats of Capt.

Stone and his party and their designs against his ship endeavored to get his freight aboard which with in a small matter was now accomplished and the 24 of March in the morning went ashore to acquaint the Governor thereof and that in pursuance of his employers trust he intended with the first expedition to get his water aboard and so depart the Port. Where upon the Governor and Council considered of the stoppage of the ship, receiving daily intelligence from all parts how subtly the interest of the Lord Baltimore was carried out and under such pretences and how their adversaries were then near at hand drew up a special warrant and sent for the relator hereof and in the presence of the council the governor there gave him a particular and strict charge in the name of His Highness the Lord Protector of England &c not to offer to depart the port without his order as he and his compagne would answer the contempt thereof at their peril declaring then how much the government established by his Highness in that Province was now concerned that their enemies were cruel and bloody and very malicious against any that owned the protestant cause.

The Relator then used several arguments to the Council in behalf of his departure, the trust of the owners in him and that their goods were now on board, that his ship was upon merchants affairs and no ship of war. These and many other reasons were urged but the necessity of affairs could admit of no longer dispute and therefore they did require his speedy repair on board.

The Governor also by advice of his council had drawn up a special warrant and caused the same in the absence of the relator hereof to be fixed to the main mast of his ship, which warrant he knew nothing of till his coming on board, the effect whereof followeth:—

These are in the name of his Highness the L. Pr. of the Commonwealth of Eng. and for the maintenance of the laws of the L. Protector established in this Province by the supreme authority thereof and for the defence of the lives, liberties and estates of free and obedient subjects of the Commonwealth, to require and charge you, Capt. Roger Heaman, commander of the

good ship the *Golden Lyons* of London, now riding at anchor in the River of the County Providence of Maryland, to serve the public interest of the said Commonwealth concerning the people of Providence and the rest of the subjects of the Commonwealth there residing in your own person, with your ships company, the ships ammunition, in such services as you shall be commanded by the Government here established by the Commissioners Rich. Bennet Esq., Col. W<sup>m</sup> Claiborne and Capt. Edmund Curtis, who by the supreme authority reduced this province and is since settled by further power. And hereof you are not to fail, as you will answer the contra to your peril.

Given at Providence, March 24, 1654.

Will Fuller.

The relator at his coming aboard his ship upon reading the warrant had several debates by himself and officers and after by himself and whole ships company, whom he found there unanimous in their resolutions [for] relief of those distressed people, and that they altered not from their first engagement in England to defend to the utmost with their lives and fortunes the established Government of England and in all places the Government subordinate to that, and that the case of the Protestants there was their own, did then resolve not to leave that port until God should put an end to the restless condition of their brethren and suffer their deliverance to be wrought from so wicked a design—then full ripe—against them.

The same day at night—in order to his ship's affairs, the Relator went ashore to have his bills of lading formed but staid not, being required to attend the Council who then imparted to him the certain news of the enemies entering the mouth of the harbor with a great number of sloops and boats full of men armed, with drums and colors, in pursuance of their design and therefore require him speedily to repair to his ship with two of the Council and to observe their commands.

That suddenly or within two hours after at the most, in the very shutting up of the day light, the ship's company desiered off a company of sloops and boats making toward the ship, where

upon the Council on board and the ship's company, would have made shot at them, but the relator commanded them to forbear and went himself upon the Poop in the stem of his ship and hailed them several times and no answer was made. He then charged them not to come nearer the ship, but the enemy kept rowing on their way and were come with shot of the ship. His mates and company having had information of their threatenings, as well against the ship as the poor distressed people resolved to fire upon them without their commander's consent rather than hazzard all by the enemies nearer approach, where upon he ordered them to fire a gun at random to divert the course from the ship, but the enemy still kept course right with the ship and took no notice of any warning given. He then commanded his gunner to fire at them, but one of his mates, Mr. Robert Moores, who knew the country very well, the malice of the adversary against those people who were then near worn out with fear and watching made a shot at them, which came fairly with them, there upon they suddenly altered their course from the ship and rowed into the creek, calling the ship's company Rogues Round heads—Rogues and dogs, and with many execrations and railings threatening to fire them in the morning.

The same night came further intelligence from the enemy in the harbor as they lay there that they were making fireworks against the ship—where upon the Governor whose prudence and valor in this business deserves very much honor—commands a small ship of Capt. Cuts of New England, then in the River, to lie in the mouth of the creek to prevent the enemy's coming forth in the night to work any mischief against the ship.

The next morning by break of day, being the Lord's day, the 25 of March last, the Relator himself and company discerned Capt. Stone with his whole body drawn out and coming toward the water side, marching with drums beating, colors flying—the colors were black and yellow—appointed by the L. B<sup>r</sup>. There was not the least token of subjection in Stone and company or acknowledgement of the L. Protector of England; But God bless the Lord proprietary and their railing against his ships company was Rogues and round headed Rogues &c.

The Governor by this time perceived the enemies quarters—and now time admitted no delay—after an earnest seeking of God and laying their innocence at his feet with his own cause, in so remote a part of the world, resolved with an humble cheerfullness to go over to the enemy and withal sent for the English colors used aboard the ship in the service of his Highness which were bent and fixed to a half pike for the governors use, He having neither drums or colors in his party and then went over the River some six miles distant from the enemy, and at his muster of his party it consisted of 107 and no more—the enemies body was then 250 and upward as by themselves were related after the fight.

The Governor and his company being come to an open place resolved to pitch his colors there, being the colors of the Commonwealth of England which he believed might beget the enemy to incline to a parley and prevent the shedding of blood by which time the enemy was come thither and without any deliberation at all made several shots at the setting down the colors, and as the Relator is informed killed two of the Governors men—where upon the Governors body had the word given them—in the name of God fall on, God is our strength and with very much courage gave fire at the enemy whose word was, Hey for St. Mary—hey for two wives, who with great boldness engaged likewise, which came to a very sharp dispute though blessed be God not long till Stone and his whole party totally routed and near 40 of his men slain upon the place—now called by the name of the Papish pound—and several desperately wounded and it pleased the good hand of God to order things so not withstanding the great thickness of the woods and other advantages for the enemy's nobody escaped, but what were prisoners and in custody. And of the Governors company there was only three killed on the field and three since dead of their wounds, which unparalleled mercy did beget a far greater joy than can be related. And to the relators knowledge no narrative yet made is to be equalled to the peoples religious humble and holy rejoicing each common soldier with such christian instrument revived the hearts of one another —Give the glory to the Lord of our deliverance.



All the arms, bag and baggage was taken together with the boats that brought them where in were the preparations and fuses for the firing of the ship *Golden Lyon*. And amongst the rest of their losses all their consecrated ware was taken, namely, their pictures, crucifixes and rows of beads, with great store of relics and trash they trusted in, which as the relator is informed, divers was put to the ancient or colors for their defence, the vanity whereof as also their great boasting in their own strength had much confirmed the people of God in those parts.

Capt. Stone him self was so convinced in this over throw that he declared that he did conceive he was cursed and many such like words expressed in that he should be brought into so ignominious over throw and be rather in company with those whom he knew were the very direct and absolute enemies of the people of God, and did much repent his ever undertaking their late design—declaring further—that it was just with God to blast his company and him—and for his part did wholly disclaim the Lord Baltimore's cause and interest and engaged he would choose rather to die than to own his cause, to join with the Catholics.

The relator did observe further when he came ashore after the fight God had sent such a spirit of fear and trembling in the heart of the enemy, that the poor tired people who slept as they were keeping the door where the prisoners were put in, yet their adversaries durst not run away. The relator amongst the prisoners found Hely, a seaman, who run from his ship at Patuxent, who was particularly brought before the Council upon the 28 day of March 1654, examined, did then confess that he was solicited by divers eminent officers under Capt. Stone to set fire on the ship or blow up the ship *Golden Lyon*, whereof Capt. Roger Heaman is commander, and some implements and materials delivered and large rewards promised to effect it. And he further declared aboard the ship after he was cleared by the Governor that the firing of the ship should have been the same night they came into the harbor with their boats, and that two of Capt. Stone officers were to go along with him and for this service he was to have 20,000 lbs. of Tobacco.

The Governor being daily solicited by the relator for his

dispatch from thence was some few days after the fight discharged, at which time after many thanks of the governor and people he set sail with the first opportunity and came for Patuxent, where he heard a large narrative of the enemies threats against him and his ship and they had burned and destroyed a great part of his woods and cash. And Hely, the second night of his arrival in Patuxent, fearing his trial at his return home, ran away again.

The relator on this so remarkable a passage was an eye witness of the constant and religious practice and duties of those precious servants of God in those remote parts with what assurance of beleiving they rested on the God of their deliverance that neither the malice or treachery of so subtle an adversary could change them on their resolutions from waiting upon God for his great mercy which they before hand did assuredly beleive and see as if acted already.

In all this time—notwithstanding the false and scandalous reports that the relator himself should be a fomentor or strickler amongst the Protestant party to withstand the lawful power of Capt. Stone, Governor under the Lord Baltimore, as some would suggest, he is easy to prove. He never left his ship at any time unless about his freight or when the Governor by special command enjoined his appearance at the Council.

He could say much as to the pretences of Capt. Stone and others as to the laws for liberties, but leaves that to his prudence of his Highness the Lord Protector, that hath provided better Governors for the people of God than profest enemies of his truth and those who hunt after the innocent.

What he did in relation to the Protestant cause he doubts not but good men will own and encourage others to act the like and to say no more in this. He hath seen the Plottings of the wicked and the deliverance of the innocent.

The truth of this relation, the Relator with his merchants and all his ships company are ready to justify.

The first message sent to Capt. William Stone Esq.

Where as we are given to understand that by warrant from

yourself expressed to be in the name of his Highness the Lord Protector of England &c., a party of men in arms was appointed to surprize the Records of this Country, to remove them from the place where by act of assembly they were appointed to be kept, which is effected, we think it our duty and the discharge of trust which is committed to us by the Commissioners of the Commonwealth of England to require you in the name of the Lord Protector of England that for the peace and welfare of the province and preventing of troubles if you have any other or higher power than is here established by the Commissioners of the Commonwealth of England you would make it known to us and to the Free Inhabitants of this provience in an orderly and legal way which indeed is the great desire of the people about Providence and Kent as well as others which power being once made known shall not be opposed or disturbed by us in the least measure.

And this also we request of you as friends and neighbors which is so equitable as cannot be denied by any that have good ground for what they do or desire the peace for the Commonwealth of England and the honor of His Highness the Lord protector himself or the accommodation of their own affairs and proceedings. For our parts we affect not preeminence but had much rather be governed ourselves by the laws of God and lawful authority of him set over us than that we ourselves should be in an employment, the nature whereof in these times is above our abilities, and those that are far more able for we beleive that God himself reigns and will bring down all high mountains which men are lifted up to and there upon oppose the kingdom of Christ. Our addresses to you at this time are in a way of peace and love. And we entreat you as you are Christians to be tender of his name, the condition of so many that are in darkness inwardly and outwardly and to take care that the country be not brought to mire and desolation whilst you think to heal the breaches thereof. We hope it shall be found that we are not the men as we are censured to be by men if we be true to that which is just and right or not repugnant to the lawful authority, not injurious to our neighbors.

Sir, we have sent a messenger to you on purpose with these

demands and requests desiring your answer if you desire the  
composement of the affairs of the province, the good of your  
friends and neighbors and your own and so we desire the God of  
heaven may council and direct into that way which is well pleas-  
ing unto Him and all honest men and rest your loving friends.

W.[illiam] F[uller]  
W.[illiam] D[urand]  
R.[ichard] P[reston]  
L.[eonard] S[trong]  
R.[ichard] E[wing]

March 5, 1654

This was subscribed by the Commissioners at Providence.

William Durand,  
Secretary of the Province of Maryland.

Finis.

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## FRANCIS SCOTT KEY AS A CHURCHMAN.

CLARENCE C. WROTH.

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In the historical exhibit of the Diocese of Maryland at the Jamestown Exposition, one of the collections which aroused much interest was the panel devoted to the religious side of the life and character of Mr. Francis Scott Key. Many who saw it learned for the first time that Mr. Key was the author not only of our national song, but also of much sacred verse, some of which has enriched the hymnals of nearly all the religious bodies of America. They learned also that at two different periods of his life, Mr. Key was earnestly contemplating entrance into the sacred ministry. It is the purpose of this sketch to consider Francis Scott Key, the churchman, more fully than was possible within the limits of a single exhibition panel.

Mr. Key was born on his ancestral estate in that part of Frederick County which is now Carroll, in the year 1779. His greatest claim to the attention of posterity lies of course in the fact of his authorship of the *Star Spangled Banner*, the story of which is so well known that a repetition of it here would be almost an offence. In the general mind, he is one of those remarkable personages who seem to have lived solely that they might make one supreme effort in battle, in politics or in song, passing afterwards into the oblivion where they had previously dwelt. Those, however, who look deeper into the facts of his life see him as an eminent practitioner of the law in a day of great lawyers; and those who view yet another side of his career realize that in him the American Episcopal Church had one of its few great laymen, a type which is much less common here than in England, where churchmanship and statesmanship seem to be better bedfellows.

During the Nullification troubles in 1832, President Jackson employed Mr. Key on a confidential mission to South Carolina,



and in 1833 he appointed him to the office of United States Attorney for the District of Columbia. To this position he was reappointed by President Jackson, and later by Van Buren. He died in 1843 and was buried in Frederick. His handsome head and face, his dignity, and his rare oratorical powers marked him in all assemblies. He was a type of the high-minded gentleman and man of affairs that has been one of the factors in the conduct of the American nation.

We find Mr. Key busy in the affairs of the Episcopal Church many months before he had become more or less of a national figure through his authorship of the *Star Spangled Banner*. He sat in the Diocesan Convention of 1813 as a delegate from St. John's Parish, Georgetown, and although he had not previously been a member of this body, he was chosen by it to represent the Diocese in the General Convention which was to meet in Philadelphia in the following year. For some reason he was not in attendance upon the meetings of this General Convention, but from this time onward he occupied an eminent position in the councils of the Church.

In April 1814, there began a correspondence between Dr. Kemp, then rector of St. Paul's Parish, Baltimore, and Mr. Key relative to the latter's entrance into Holy Orders. His part of the correspondence is now in the Maryland Diocesan Library in the keeping of the Diocesan Records Committee, with whose permission it is here reproduced. As far as is known, none of the letters which follow have ever been in print.

Dr. Kemp's proposal to Mr. Key was that he should enter the ministry as his assistant in the work of St. Paul's parish, probably intending that he should be the associate rector of the parish, holding services according to the arrangement existing at that time alternately in St. Paul's and Christ Churches. Mr. Key's reply tells us much of his high sense of personal honor, convinces us of his sincere religious conviction and shows plainly the school of churchmanship to which he belonged.

Geo. Town—

April 4, 1814.

Rev<sup>d</sup> & D<sup>r</sup> Sir :—

Your letter should have been sooner answered, but it came while I was in Charles County whence I returned home the night before the last very much indisposed.

When I thought a few years ago of preparing myself for the ministry, it seemed to me, from all the consideration I could give it, that I was peculiarly situated, & had entered, almost necessarily, into engagements that made such a step impossible.—At the same time I hoped (as I still do) that if the path of duty would lead me to this change of life, I should be enabled to see it, & that my present course should be stopped if I could serve God more acceptably in the ministry.—I did not to be sure ever think of such a situation as you have suggested; but I have doubts how far, even in this way, an abandonment of my profession could be reconciled with the necessities of my present arrangements.—I have been obliged to contract (not on account of any concern of my own) a very considerable debt—and the relinquishment of my present pursuits would materially affect others (some even out of my own family) to whom I seem to have become bound.—Under these circumstances you will perceive I ought not lightly nor without mature consideration, to make so important a change in my situation; and I should be very glad of your thoughts upon the subject.—That I could support my family upon the terms you have mentioned I think probable: But I should find it difficult (if not impossible) to do more; and to do more I seem to be necessarily bound. Would it be practicable to make anything as an author of religious & Literary publications? And would I have any leisure for such engagements?—

The great advantage of entering the Church under an association with you I am fully sensible of, & this more than anything else inclines me to think it may perhaps be my duty.—At least it will induce me to give the subject a full deliberation & to endeavor to ascertain if the nature of the engagements I have intimated can justifiably allow of it.—

I believe we differ upon the subject of Episcopacy—you consider it as the divinely established & only form of Church government & that there is no valid ordination elsewhere. I have never seen anything to satisfy me of this, but though I have been led to think it a *form*, I still think it the best form.—And this difference is, I believe, no more than has always existed among the members of our Church of whom many respectable

names are on each side of the question.—As to our Church service, few persons can be more attached to it than I am.—I lament that any of our ministers should substantially depart from it, though I love and esteem some who occasionally do so. I regret also that others should insist upon a literal and universal compliance as absolutely essential to be enforced by strict Church discipline; and though I think such a design would introduce a spirit of controversy & persecution, that would perhaps make an irreconcilable schism in the Church, about things, that, if they were not disputed about, would create no differences, yet I have an equal affection & regard for some who I believe hold this opinion.—I have been remarkably influenced by the conviction of many most erroneous opinions of my own, to allow for those of others—& have been led to see great merit among the advocates of each side of a controversy.—I believe that God will sufficiently enlighten every man who hungers and thirsts after righteousness, & prays to be led into the truth, & that it may be consistent with his wisdom & goodness to leave us for a time under the influence of some errors.—

However we might differ in opinion I feel gratified in believing that our hearts would be united in one great purpose, & our labours directed to the same end: & I am not so vain & self-confident as not to be fully persuaded of the importance of entering upon so solemn a calling with such a connection as you suggest.—I am obliged to leave home again for a week or a fortnight, & will not fail to think of this subject & write to you.—

A[llow] me to hope that I may have your candid advice and your prayers that I may be rightly directed.—

truly & resply

Yrs

F. S. KEY.

P. S.—May I be allowed to mention this subject to two or three friends, whose counsel I should wish?—that is, if, on reflection, I find a difficulty in determining.—As far as I have been able to think at present, I do not see how I can extricate myself from my engagements.—

The following letter written more than three weeks later seems to have closed the matter finally, for we hear no more of Mr. Key's entering the ministry after this date.

Geo Town

April 28, 1814.

Dear & Rev<sup>d</sup> Sir—

I have been kept from home by sickness or I should have attended to your last letter sooner.—

I have thought a good deal upon this subject, & the difficulties that at first occurred to me appear insurmountable.—It has also occurred to me that if I was to enter the ministry with a view to so profitable a situation I might be supposed to act under the influence of unworthy inducements; & thus the cause of religion in some measure might receive injury, or at least those persons prejudiced against it, who might think they saw reasons to believe me so improperly influenced.—

I trust that if I have been incorrect in this determination, I shall be brought to see it, & that God will make plain to me his will and my duty & give me strength to perform it.—

I am with sincere respect

truly yrs

F. S. KEY.

The friendly tone of these two letters was, however, to change abruptly before many months should pass, for in June, 1814 in a manner which was regarded as unfair by a large and important party in the Diocese, Dr. Kemp was elected Suffragan Bishop of Maryland. Party feeling was strong at this time in the Diocese, and Dr. Kemp had been the candidate of the "formalists," as the high churchmen of that day were called. His opponent Dr. Contee, was equally prominent as the leader of the "evangelicals." Associated with him was the Rev. George Dashiell, a less worthy man of whom we shall have something to say later.

Bishop Kemp's election was made the subject of a protest to the House of Bishops by a number of clergymen and laymen, who objected on several grounds to his consecration. Among the signers of this document was Mr. Francis Scott Key, but with his characteristic charity of heart and clarity of mind he alone of the subscribers did not concur in the accusation that the election was the result of "premeditated management." He maintained that the high churchmen had at the outset of the Convention no intention of forcing an election, but that finding themselves in an

unexpected majority they had rushed Bishop Kemp's election through at the last moment. It was therefore on the purely legal ground of "insufficient notice" that Mr. Key based his protest against the manner of the election. I have forborne to copy here a letter of his to Bishop Kemp on this subject, written shortly after the election, in which in straightforward and respectful language he gives his full reasons for joining the opposition to the consecration. It is a long letter on a painful matter, and adds but little to our knowledge of the men and events concerned. Bishop Kemp seems never fully to have forgiven Mr. Key for his part in the affair, in spite of the fact that this had been patently that of one who acts in all sincerity.

There is no use in further dwelling upon this ancient quarrel; the House of Bishops answered the "protest," clause by clause, and proceeded to the consecration of Dr. Kemp as Suffragan Bishop of Maryland, the first and last time in the history of the Episcopal Church in America that the office of suffragan bishop has been held by anyone. One of the immediate results of the consecration of Bishop Kemp was the attempted creation of a schism by the Rev. George Dashiell, the rector of St. Peter's Church, Baltimore. His efforts resulted finally in the formation of the Evangelical Episcopal Church, a body which at no time attained any standing and which died with its founder. Mr. Dashiell's deposition was followed by the celebrated case of the State of Maryland *vs.* the Vestry of St. Peter's Church, in which the decisions were watched with keen interest by the people of every denomination, not only in Maryland but throughout the country. Dashiell's radicalism must not be taken as representative of the attitude of the evangelical party at large; low churchmen of the stamp of Key deplored his action as sincerely as did the most ardent supporters of Bishop Kemp.

Of no real significance, but of some local interest is the fact that the authors of the only two schisms which have arisen in the American Episcopal Church have at one time been rectors of St. Peter's Church, Baltimore. The founder of the Reformed Episcopal Church, Bishop Cummins, held this charge a few years before his accession.



Mr. Key was a delegate to the General Convention of 1817, and from the time of his first attendance upon its sessions, he became a distinguished figure in the councils of the Church. Bishop McIlvaine, as quoted by William Stevens Perry in his *History of the American Episcopal Church*, says that in the General Convention of 1820, "Key was the only one who was allowed to stand up in defence of evangelical truth." We need go no further than the journals of the General Convention to learn of his activity in the deliberations of the House of Delegates.

In the General Convention of 1817 his evangelical tendencies appeared at once in a resolution introduced by him stating that in the opinion of that body "the conforming to the vain amusements of the world, frequenting horse races, theatres, public balls, playing cards, or gaming" were "inconsistent with Christian sobriety, dangerous to the morals of the members of the Church, and peculiarly unbecoming the character of communicants." I remember to have read somewhere certain anecdotes of Mr. Key's residence at St. John's College. They told how he delighted the hearts of his companions by the originality and wildness of his pranks, in particular giving a picture of him riding madly around the college campus mounted upon a surprised and aggrieved cow. Surely this was a "vain amusement of the world." I submit that here was an instance where the boy was not the father to the man, although the dignity of manner and the gravity of thought and speech which characterized his manhood seem to have settled upon him early in life. His resolution calling for greater strictness in conduct was declared unnecessary by the House of Deputies in view of the already existing provisions "for the purposes of Christian discipline."

In succeeding General Conventions, Mr. Key's part was a prominent one. He was appointed to membership on the first Board of Trustees of the General Theological Seminary in 1820, and he was one of the organizers of the Domestic and Foreign Missionary Society in the same year. Prominently connected at home with the American Colonization Society, he sought without success to have the Episcopal Church officially represented in its councils, but his resolution for this good cause was rejected by the



Bishops because of its political aspect. Perhaps the heads of a church which was even then suffering from its earlier connection with the secular power were wise in their sweeping avoidance of anything that was shadowed, however slightly, by the arm of the State.

Mr. Key was a delegate to every General Convention from 1814 to 1826 inclusive, attending all except that of 1814. He was a trustee of the General Theological Seminary from its formation in 1820 until his death in 1843; he was placed on important committees in each Convention, and in the discussion of matters of moment, the journals show that he had always the ear of the delegates. It may be said without fear of contradiction that in standing up "in defence of evangelical truth" in the councils of the Episcopal Church, he rendered a service of note to the cause of religion in this country; and the last person to withhold from him the credit of this would be the "high churchman" of to-day, who is in many essentials a stranger to him of a century ago.

Valuable as were Mr. Key's services to the church at large in the General Convention, it was in the affairs of the Maryland church that his influence was more directly perceptible. He was nine times a delegate to the Maryland Convention between the years 1813 and 1840, representing at different periods St. John's and Christ Church, Georgetown, D. C., and Trinity Church, Washington. Whenever he was present at a convention, his intense interest in the affairs of the Diocese combined with his very real ability in debate and his industry in the work of committees made him an important factor in the proceedings of that body. His personal popularity and his general eminence in his later years added to his influence in the Diocese, an influence which he exerted at all times in the cause of moderation and peace.

At the time of the election of the Rev. William Murray Stone to the episcopate of Maryland, the parties were almost literally at each other's throats. Their leaders, the Rev. William Edward Wyatt, rector of St. Paul's Parish, representing the high church faction, and the most prominent of the evangelical clergy, the Rev. John Johns, rector of Christ Church, Baltimore, mutually

agreed and declared to the convention their wish to be no longer considered as candidates for the vacant episcopal office. Their Christian spirit of peace and good will met with no response from their followers, who raged as before, and it was not until Mr. Key set himself to the work of reconciliation, moving the appointment of a committee for the purpose of suggesting a suitable candidate for the vacancy that the opponents could be brought to a compromise in the person of the Rev. William Murray Stone. His election was declared unanimous, and to Mr. Key was conceded the credit for the peaceful ending of a very distressing conflict of more than two years' duration. A letter of his on the coming election written just before the convention to Mr. Robert Goldsborough of Talbot County, is so eloquent of the sanity of his views and the tolerance of his spirit that the insertion of a part of it here will have some meaning. Mr. Key has a course which he is anxious that the Convention should adopt, and he thus describes it:—

Geo Town

16 May-30.

My dear Sir—

Our convention in Maryland is approaching, & I thought it likely you would be there. I have not attended on any occasion since the distracted state of things occurred in consequence of Bishop Kemp's death, but I have agreed to go now.—I feel anxious to have a course adopted which I think is the only one that can properly put an end to the troubled & divided state of our Church. And I have thought you would approve of it—I will therefore suggest it, and if you concur in it I think we can get enough to join in it & carry it.—

It is this—to lay aside both Johns and Wyatt & take a new man from another Diocese. In selecting him, let both sides give up something, & meet in a spirit of conciliation & take someone not obnoxious to either side as a violent party man. I am a low Churchman—I never could believe (though I tried hard) in the "jus divinum," or draw any of the conclusions that are usually deduced from such a position by those who hold it. I know that the Church of England has not been unanimous upon the point, & that some of her highest and best men have at all times taken lower ground to place our Church on. I think such opinions in

a Clergyman hinder his usefulness: but I do not imagine that they need, or generally do affect his piety—I am willing therefore to take as high a Churchman as can be found.—If we give up in this respect, might we not ask to have a man who had charity & forbearance towards low Churchmen, one who has not by his concern in such controversies, received prejudices against those who differ with him. Further there is a difference among us (I try to think it a slight one when I can, but in respect to some I cannot) in the great fundamental doctrine of the corruption of man. May we not ask to have a high Churchman who is clear & explicit upon that point?—I know there are such.—Though I cannot think all are so.—Further we object to fashionable amusements & think a stronger stand should be made against Christians conforming to the world in this respect, than some high Churchmen think prudent. May we not ask for a man who should not be objectionable to us in this respect?

Now I am decidedly for a compromise, getting as much as we can in respect to these things, & willing to give up much, very much, to heal the wounds that are kept open by this unnecessary contest.—I really believe that a Com<sup>ee</sup> of conference, chosen from both sides at the opening of the Convention, could agree upon such a man.

And this would surely be better than either side's prevailing by a vote or two, & bringing in a man who would not have the confidence of more than half the Church, & sacrificing, in doing this, that part of our constitution which wisely requires two-thirds to elect a Bishop, a feature in our constitution which has been everywhere approved, & which Bishop White has publicly commended.

I will thank you to let me know what you think of this project & if you approve of it, come and join me in it & we will do, I think, a good work.—

truly yrs

F. S. KEY.

It is worthy of remark in considering Mr. Key as a peacemaker that he was present at both the conventions where the fever of partisanship was at its height, that is, in the episcopal elections of 1830 and 1839, and further that on both occasions he performed stout service in preserving good feeling and in leading the delegates to a wise choice. Although the election of Bishop Whittingham in 1839 is not as directly traceable to him as is that of his predecessors, yet it was through Key's influence in this

instance that the spirit of party was kept in the background, and the way made clear for the selection of several good men, the choice falling finally on the Rev. William Rollinson Whittingham.

Except in so far as an informal exercise of good will towards it might go, Mr. Key could, of course, take no part in the affairs of the Diocese of Virginia. He was however a lifelong friend of Bishop Meade and an intimate of the celebrated John Randolph of Roanoke, the latter in his will naming the Bishop and Mr. Key as trustees of a fund devoted to the temporal prosperity of his manumitted slaves. Telling of this in his "Old Churches, Ministers and Families of Virginia," Bishop Meade speaks of his co-trustee as "my most valued friend, Mr. Francis S. Key." His name appears among those of the founders of the Virginia Theological Seminary at Alexandria, he believing warmly in the desirability of diocesan schools for ministerial education as well as in the necessity of a general institution for that purpose.

Key was clearly not of the sort of prominent layman whose services end with representing his parish in convention and attending vestry meetings; the spiritual side, with what is oftentimes its mental and physical drudgery, was a very real thing with him. When the rector of St. John's, the Rev. Walter Dulany Addison, became broken in health, Mr. Key was given a lay reader's license to assist him in the work of the parish. For many years acting in this capacity, he held up the hands of the well loved rector, esteeming the humbler work of reading the services and visiting the sick as much his duty as it was his privilege to represent the Diocese in the General Convention.

On one occasion his zeal in the work of the parish, in the opinion of Bishop Kemp, carried him further than he should have gone. The Bishop held that the administration of the baptismal rite was not a function that could be performed by a layman under any circumstances; Mr. Key, although open to conviction, was of a contrary opinion. His reply to Bishop Kemp's reproof for his action tells the story and gives clearly his point of view in the controversy. It is a very long letter, and I give only a portion of it.

Geo Town—

Oct. 17, 1818.

Rt Revd Sir

I have received your letter & fully admit your right to admonish me: and I prefer very much your writing to me of my faults & failings, even in the style you have done, to your speaking of them to others as I am informed you have thought it necessary on other occasions to do.—Notwithstanding however all that has passed, & though you have thought it right to pronounce upon me without even asking for any explanation of the circumstances or any reason for my conduct, I will simply state what I have done, my readiness to acknowledge it wrong, if I can be made sensible of it, & if I cannot, to submit to whatever may be the consequences of my following the dictates of my own conscience in opposition to your opinions.—Late at night as I was about retiring to bed, having just locked my door, I was called for by three persons who saw the light in my passage.—One of them I recognized to be a pious woman of Mr. Addison's congregation: She was attended by her husband and a female friend & had in her arms an infant, which she told me was dying & that she had brought it from her house (a little distance from the Town) intending to carry it to Mr. Addison to be baptized, but she declared that she believed it would die before she could get there. The night was dark & rainy & Mr. Addison's house at some distance & he was most probably at that hour in bed. She entreated me to baptize it, I told her that I thought she had better take it to Mr. Ruth, (whose residence was somewhat nearer than that of Mr. Addison or any other Clergyman), but she & the woman with her continued to express their conviction that the child would most probably expire before they could get there. Under these circumstances, I thought it proper to do, what I should never think of doing except in a case of the like necessity, & according to the forms of the Church baptized the infant.—After the baptism, my wife examined the child, & having some medicine in the house which she thought would silence it, with the consent of its parents administered it, it recovered & is now fortunately well enough to have any mistake I have made corrected.—This Sir, is what I have done & I thought it right. You think it so clearly wrong that a moment's reflection "ought to have arrested my progress." I have reflected upon it since, deliberately, & am still without any other reason for supposing it may be wrong than your telling me so. I hope Sir you will excuse me for saying that this (tho' certainly worthy of serious



consideration) is not sufficient for me. I cannot acknowledge error where I do not see it, & I trust you hold me so entitled to an opinion of my own as not to be bound to renounce it & confess myself wrong merely because any person though entitled to the greatest respect thinks differently.

I am willing to receive your admonitions in relation to this particular act or any other part of my conduct (& it plain to see that you deem me culpable in other respects) with the most respectful attention. I will divest myself, as far as possible, of all prejudice in favor of my own views and opinions, and consider with the greatest seriousness whatever you may say to convince me of my error. If convinced, I will acknowledge it & correct my conduct. But if, after trying to decide fairly and impartially, I remain unconvinced, you cannot expect or desire that I should pretend to acknowledge myself sensible of a fault when I am not. In the case you particularly mention I am not aware of any rule of our Church that I have transgressed. I know that what I have done has been done by others of the highest respectability in our Church & I have never heard of their being censured or admonished about it: nor have I ever seen the expression of an opinion on this subject by our Church. Yet if you can point me to any such rule or opinion I will candidly own my mistake. I further add that I am willing to submit my conduct in this & in every other respect to any trial that our Church authorizes.

If I know any thing of myself it is my desire to go on quietly in my own course of Christian duty without interfering with others who differ with me, & to bear with meekness their interferences with me.—I know that I owe obedience to the rules of the Church to which I belong. What a layman may do without violating those rules, both as it regards the temporal and spiritual concerns of the Church I endeavor to do, & no more do I wish to do.

I am at a loss to know how a man's vanity or any other selfish disposition can be gratified by baptizing a child. I am sure that is an authority that I do not wish to exercise.—

You seem to admit that a layman may do something more than merely set a good example, but that in going further he must "proceed cautiously." I have, I confess, endeavored to go further (though in that and in everything with many and great imperfections) but in doing so I have endeavored to proceed cautiously & have done nothing that I can perceive our Church has anywhere forbidden to a layman of her communion. But I am, I hope, open to conviction upon these subjects & willing to



hear and consider whatever you may think proper to suggest to me about them. I know I am miserably far from being what I ought to be & what I wish to be, & what I hope to be; & I trust I may be spared & enabled to overcome and correct many wrong things both in understanding & practice, which I earnestly desire may be the case both as to myself & the whole Church.—

I think from your letter that you suppose I may have been flattered and encouraged in pursuing a wrong course by some of the Clergy.—In justice to them I state that in this instance & in all others I have acted from my own convictions of duty, & that I have never heard from any of them any opinion upon the subject of Baptism by a Layman, except that when conversing with some of them who held that the ordinances of other Sects of Christians were invalid, upon my asking why our Church received their members into her communion without rebaptizing them, I have been answered that our Church admitted the validity of lay-baptism. It is true that in my general course of conduct as a layman I have had the satisfaction (as far as I ever knew their opinions) of being approved by the Clergymen with whom I was connected or acquainted.

I will further add this: that child (as I before observed) still lives, & may be baptized over again if you think it necessary, & upon being informed that such is your opinion I will recommend it to the parents to have it done.

Whatever the differences of opinion between us may be, & whatever they may lead to, I hope it will be my constant endeavor & prayer to be enabled to conduct myself towards you with respect, & to feel for you every sentiment of goodwill.—

I am

Yrs

F. S. KEY.

It must and will not be supposed from this that Mr. Key held lightly the sacrament of Baptism. The contrary was true. In the General Convention on one occasion, he and Bishop Meade, then the Rev. William Meade, introduced a measure into the House of Deputies providing for a more stringent interpretation of the Prayer Book rubric as to baptism being performed in public, and advocating a more careful selection of sponsors. "We were surprised," writes Bishop Meade, "to find ourselves opposed by those who held the highest views of the efficiency of baptism."

A substitute motion was adopted, which, however, failed signally of expressing the intention of the original resolution.

There remains another aspect in which we must view Mr. Key's services to the religious life of his own and of a later day, and that is as the author of sacred verse of no mean pretensions to excellence. His great psalm of victory, the *Star Spangled Banner*, needs no praise, and although there have not been lacking critics to assure us of its poetic imperfection, one cannot but be impressed with the fact that as time passes protests against its use as the national song are becoming fewer, and that the splendid exalted words are singing themselves into a definite place in the hearts of the people, learned and unlearned.

Mr. Key's poetical talent was distinctly of the minor order. Strict truth compels us to say that the bulk of his verse is simply the production of the 'elegant amateur.' He himself gave it no consideration except as a means of passing pleasantly an occasional idle hour. Except in the case of the *Star Spangled Banner* he had none of those flashes of inspiration whereby the poet sees into the heart of things, nor was his versification that of a great original singer, but even so, he produced some extremely delicate and pleasing verse of the affections, and the six examples of sacred poetry from his pen which are included in Cleveland's *Gems from Sacred American Poetry* give him a high ranking among the writers whose work makes up that collection.

His hymns and paraphrases of the Psalms lack that all important something which differentiates the poet from the mere writer of verse, otherwise there is present in them the same self-abasement before the God of All, and the same fervor and devotion at the feet of the Master, which through the centuries has charmed all readers in the verse of the priestly singers of England—George Herbert, Keble and the Wesleys, to name only a few of them. We have to-day religious verse in plenty; the magazines are full of it. But generally it is a pale and ineffectual Deity which we meet in their pages; it is not the God Who brought Key to his knees with these words:—

"My God ! my Father ! may I dare—  
 I, all debased, with sin defiled—  
 These awful, soothing names to join ;  
 Am I Thy creature and Thy child ?"

At one time Mr. Key's "Hymn," the best known of his sacred songs, had great vogue among all Protestant bodies in this country ; but hymns as well as other things being affected by fashions, it is less well known to church-goers of this generation than to their fathers to whom it was dear. In the present collection in use by the Episcopal Church, the number of the "Hymn" is 443, and even when it is used scarcely a person may be found who knows of its authorship. I give the first stanzas here :

Lord, with glowing heart I'd praise Thee,  
 For the bliss Thy love bestows ;  
 For the pardoning grace that saves me,  
 And the peace that from it flows :  
 Help, O Lord, my weak endeavor,  
 This dull soul to rapture raise :  
 Thou must light the flame, or never  
 Can my love be warm'd to praise.

Praise, my soul, the God that sought thee,  
 Wretched wanderer, far astray,  
 Found thee lost, and kindly brought thee  
 From the paths of death away :  
 Praise, with love's devoutest feeling,  
 Him who saw thy guilt-born fear,  
 And the light of hope revealing,  
 Bade the blood-stain'd cross appear.

Lord, this bosom's ardent feeling  
 Vainly would my lips express :  
 Low before Thy footstool kneeling,  
 Deign Thy suppliant's prayer to bless :  
 Let Thy grace, my soul's chief pleasure,  
 Love's pure flame within me raise ;  
 And since words can never measure,  
 Let my love show forth Thy praise.

The Thanksgiving Hymn, called in the published edition of Mr. Key's verses, "*A Hymn for the Fourth of July*" is a fine example of that nice commingling of thanksgiving and praise

with a subdued patriotic ardor which such an occasion would seem to call for. As one generation has followed another, memories of our national beginnings have become dim, so that to-day we seem finally to have disassociated from the fact of our political liberty the thought of gratitude to God for His part in our deliverance. That this was not the attitude of our fathers, I call to witness the writings of those Americans who flourished during and within a generation after the Revolutionary War. To them the struggle was quite simply a war between right and wrong, and directing in the fight the ragged Americans was Jehovah the God of Battles. Something of the same point of view was apparent throughout the nation during the second war with England, and it was still existent when Key wrote his "*Hymn for the Fourth of July.*"

Francis Scott Key died in the year 1843. In his religious activities we see the last of him in the Diocesan Convention of 1840 in which there presided for the first time the eminent and learned William Rollinson Whittingham, fourth bishop of Maryland. It cannot be denied that we are accustomed to regard Mr. Key's name with a more or less hazy reverence; we think of him as the almost inspired author of the national song, but of the other aspects of his life we are generally ignorant. A nearer view of him engaged in one of the many interests of his useful life, while revealing him more closely, does not in the least alter the reverence with which we have been accustomed to think of him. When a monument shall be erected to him in this city, it seems not unreasonable to hope that upon it there may be made some reference to that side of his life and character which it has been the purpose of this paper to portray. As a Christian gentleman, patriot and man of affairs we greet him, lamenting that his like comes not often to our knowledge.

I am indebted for much assistance in the preparation of this sketch to Mr. Edward Higgins of this city, the publication of whose *Life of Francis Scott Key* is anxiously awaited by many with the expectation of its being an interesting biography and a valuable contribution to the history of the period of which it treats.

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## LORD BALTIMORE'S CASE.

[Of this extremely rare pamphlet but two printed copies, so far as the editor can learn, exist in the United States. The commission to Davenant, appended to the pamphlet, was printed in this *Magazine*, 1, 216.]

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THE  
LORD BALTEMORES  
CASE,

Concerning the Province of Maryland, adjoining to  
Virginia in America, &c.

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In 1632 the Lord Baltimore had a Patent granted to him and his heirs, of the said Province of Maryland, with divers privileges and jurisdictions for the Government thereof, the better to encourage him to settle a Colony of English there, whereby to prevent the Dutch and Swedes from incroaching any nearer to Virginia, Maryland being between Virginia, and the Dutch and Swedes Plantation on that Continent, and New England beyond them, to the Northward.

The Lord Baltimore hereupon in 1633 sent two of his own brothers with above 200 people to begin and seat a Plantation there; wherein, and in the prosecution of the said Plantation, ever since, hee and his friends have disbursed above 40000 l. whereof 20000 l. at least, was out of his own purse, and his said two brothers died there in the prosecution thereof.

In Septem. 1651 when the Councell of State sent Commissioners from hence, to wit, Captaine Dennis, Captain Steg, and Captain Curtes, to reduce Virginia to the obedience of the Parliament, Maryland was at first inserted in their Instructions to be reduced as well as Virginia, but the Council being afterwards satisfied that that Plantation was never in opposition to the Parliament, that Captain Stone, the Lord Baltimore's Deputy there, was generally knowne to have been always zealously affected to

the Parliament, and that divers of the Parliaments friends were, by the Lord Baltemore's speciall direction, received into Maryland, and well treated there, when they were faine to leave Virginia for their good affection to the Parliament; then the Councell thought it not fit at all to disturb that Plantation, and therefore caused Maryland to be struck out of the said Instructions, which was twice done, it being by some mistake or other put in a second time.

In this expedition to Virginia, Captain Dennis and Captain Stegg, the two chiefe Commissioners, were cast away, outward bound in the Admirall of that Fleet, which was sent from hence upon that service, and with them the Originall Commission for that service was lost.

But Cap. Curtes having a copy of the said Commission and Instructions with him in another ship, arrived safe in Virginia, and there being also nominated in the said Commission two other persons resident in Virginia, to wit, Cap. Bennet, and Cap. Cleyborn (known and declared enemies of the L. Baltemore's) they, together with Cap. Curtes, proceeded to the reducement of Virginia, which was affected accordingly upon Articles, among which one was; That the Virginians should enjoy the antient bounds and limits of Virginia, and that they should seek a Charter from the Parliament to that purpose.

In the reducement of Virginia, Captain Stone (the L. Baltemore's Deputy of Maryland) sent to the Commissioners at the first arrival of the Fleet in Virginia, to offer them all the assistance he could, and did actually assist them therein, with provision of victuall and other necessaries, as will be testified (if need be by M<sup>r</sup> Edward Gibbons, Major Generall of New England, and divers others who were then there, and eye witnesses of it, and are now here.

Notwithstanding which, the said Commissioners, after Virginia was reduced, went to Maryland, and upon pretence of a certain clause (which it seems was by some meanes or other, put into their Instructions, after Maryland was struck out as aforesaid) to wit, that they should reduce all the Plantations in the Bay of Cheseapeack to the obedience of the Parliament, and some part of



Maryland, where the L. Baltimore's chief Colony there is seated, being within that Bay, as well as most of the Plantations of Virginia are; they required Captaine Stone, and the rest of the Lord Baltimore's Officers there, first to take the Ingagement, which they all readily subscribed, and declared, that they did in all humility submit themselves to the Government of the Commonwealth of England in Chief under God; then the Commissioners required them to issue out Writs and Processe out of the L. Baltimore's Courts there in the name of the Keepers of the Liberty of England, and not in the name of the Lord Proprietary, as they were wont to doe, wherein they desired to be excused; because they did not conceive the Parliament intended to devest the Lord Baltimore of his right there, and that they understood out of England that the Councell of State intended not that any alteration should be made in Maryland. That the Kings name was never used heretofore in the sayd Writs, but that they had alwayes been in the name of the Lord Proprietary, according to the Priviledges of his Patent, ever since the beginning of that Plantation; that the late Act in England for changing of the forms of Writts declared only, that in such Writs and Process wherein the Kings name was formerly used, the Keepers of the Liberty of England, should for the future be put instead thereof: that the continuing of the Writs in the Lord Proprietaries name, was essentiall to his Interest there, and that therefore they could not without breach of trust, concur to any such alteration; whereupon the Commissioners demanded of Captain Stone the Lord Baltimore's Commission to him, which he delivered, and then without any other cause at all, they removed the sayd Captain Stone, and the Lord Baltimore's other Officers out of their Employment there under him, and appointed others to manage the government of that Plantation, till the pleasure of the Councell of State and Parliament should be further known therein; seized upon all the Records of the Place, and sent divers of them hither into England, all which they did without any opposition at all from Cap. Stone, or any other of the Lord Baltimore's Officers, in regard of their respect and reverence to the Commissioners of the Parliament.

The Colony of Virginia, not long after, sent one Colonell Mathews hither into England to get their Articles confirmed by the Parliament, which were read in the House on the 31 August 1652. Upon the reading whereof a Petition of the Lord Baltimores, and of about twenty more considerable Protestant Adventurers and Planters to and in Maryland, who are known by divers Members of the House to have been well affected alwayes to the Parliament, who signed the said Petition, was also read ; when it was humbly desired that before the House pass that Article concerning the old limits of Virginia the said Petitioners might be heard by their Councell, in regard Maryland was long since esteemed part of Virginia, and therefore they were concerned in that Article ; and they further humbly desired the sayd Petition, that the Lord Baltimore's Officers might be restored to their places in Maryland under him, and that the Petitioners might quietly enjoy the Priviledges of the sayd Patent of Maryland, upon confidence whereof, they had Adventured so much of their fortunes thither as aforesayd.

Whereupon divers Parchments under the Lord Baltimore's hand and seale, which were sent out of Maryland, by the sayd Capt. Bennet, and Capt. Cleyborn, were at that time produced to the House by a Member thereof, who it seems conceived that there would appear something in them, wherby the Lord Baltimore had forfeited his said Patent, or at least that his Authority in Maryland was not fit to be allowed of by the Parliament.

The House on the 31 August 1652 referred the sayd Article concerning the old Limits of Virginia, to the Committee of the Navy to consider what Patent was fit to be granted to the Inhabitants of Virginia, and to hear all Parties, and consider of their particular Claims, and report the same, with their Opinions to the Parliament and the sayd Parchments delivered in concerning Maryland, were also referred to the same Committee.

The Lord Baltimore accordingly made his Claim before the said Committee, unto whom he delivered a true Copy of his said Patent, and desired therefore that the Patent which the Virginians were Suitors for, might not extend to any part of Maryland, it being made appear to the said Committee, that that Province had

not been for these 20 years last past accounted any part of Virginia, and that the Virginians had neither possession of any part thereof, at the time of the making of the said Articles, nor for 20 years before, nor that the present Inhabitants of Virginia had ever at all any right unto it.

Then, upon the suggestion of a Member of that Committee, certain Exceptions against the Lord Baltimores Patent, and his Proceedings thereupon in Maryland, were shortly after presented in writing to the said Committee, unto which the Lord Baltemore put in his Answer also in writing, which was read, and the Committee upon debate thereof (it seems) thought not fit to deliver any Opinion in the business, but Ordered, that the whole matter of fact should be stated by a Sub-Committee, and reported first to the said Grand Committee, and afterwards to the House.

The Exceptions aforesaid were many, but the substance of them are reduceable to these heads following, which are set down by way of Objections, with Answers to them. 1. Object. A pretended injury done to the Virginians by the said Patent, in regard Maryland was heretofore part of Virginia.

Answer. The present Inhabitants of Virginia had never any right to Maryland, no more then to New-England, which was part of that Country heretofore called Virginia, as well as Maryland, but distinguished and seperated afterwards from it by a Patent as Maryland was.

There was indeed a Patent heretofore granted by King James in the 7. yeare of his reign of a great part of that northern Continent of America, which was then called Virginia, to divers Lords and Gentlemen here in England, who were by that Patent erected into a Corporation, by the name of the Virginia Company, in which tract of land granted to the said Company, that Country which is now called Maryland, was included, but that Patent was Legally evicted by a Quo Warranto in the then Kings Bench, in 21. year of the sayd King James, 8 or 9 years before the Patent of Maryland was granted to the L. Baltemore; which Company or Corporation the Inhabitants of Virginia desire not now to revive, by vertue of their Articles above mentioned, but abhor the memory of it, in regard of the great oppression and

slavery they lived in under it, when it was on foot, so as they never having had any Patent, right, or possession of the sayd Province of Maryland, there could be no injury done to them by the Lord Baltimore's sayd Patent, after the eviction of the sayd Virginia Companies Patent thereof. For it was as free in the late Kings power to grant any part of that Continent not possessed before by any Legall grant then in force from the Crown of England (which Maryland was not, at the time of the Lord Baltimore's Patent thereof) as it was for King James to grant the aforesaid Country to the said Virginia Company.

2. Object. A pretended wrong done by the Lord Baltimore to the above mentioned Capt. Cleyborn, in disposessing him of an Island in the sayd Province, called the Isle of Kent.

2. Answer. It was a business above 14 years since, upon a full hearing of both parties, then present, decided by the then Lords Commissioners for Forraign Plantations, against the sayd Capt. Cleyborn and his Partners, M<sup>r</sup> Maurice Thomson and others, and the sayd Capt. Cleyborn hath himself also by divers Letters of his to the Lord Baltimore, acknowledged the great wrong he did him therein; which Letters were proved at the Committee of the Navy, and are now remayning with that Committee: wherefore the Lord Baltimore humbly conceives, that against the sayd Capt. Cleyborns owne acknowledgement, and a Determination so long since of that business, and above 14 years quiet possession in the Lord Baltimore of the said Island, the Parliament will not think fit upon a private Controversie of meum and tuum, between him and the said Cleyborne, to impeach his Patent of the said Province, or his right to the said Island, but leave both parties to their legall remedy.

3. Object. That the said Patent constitutes an hereditary Monarchy in Maryland, which is supposed, by some, to be inconsistent with this Comon-wealth.

3. Answer. The Jurisdiction and Stile which the Lord Baltimore useth in Maryland, is no other then what is warranted by his Patent (as may appeare by his answer at the Committee of the Navy to the Exceptions above mentioned, and by perusall of the said Patent) and that is onely in the nature of a County

Palatine, subordinate, and dependent on the Supream Authority of England; for by the Patent, the sovereign Dominion, Allegiance, the fifth part of all Gold and Silver Oare, which shall happen to be found there, and severall other Duties are reserved to the late King, his Heires, and Successors, who are now the Parliament of this Commonwealth: and although it be true, that a Monarchicall Government here which should have any power over this Commonwealth, would not be consistent with it, yet certainly any Monarchical Government in forraign parts which is subordinate to, and dependent on, this Comonwealth, may be consistent with it, as well as divers Kings under that famous Commonwealth of the Romans heretofore were, insomuch as they thought it convenient and fit to constitute divers Kings under them. All Lords of Mannars or Liberties here in England may, in some kinde, be as well accounted Monarches within their severall Mannors and Liberties as the Lord Baltemore in Maryland; for Writs issue, at this day, in their names out of their Courts within their respective Mannars and Liberties, and not in the name of the Keepers of the Libertie of England; Oathes of Fealty are taken to them by their Tenants, and they have great Royalties and Jurisdictions, some more then others, and some as great in proportion, within their said Mannars and Liberties, as the Lord Baltemore hath in Maryland, except the power of making Lawes touching life and Estate, power of pardoning, and some few others of lesser concernment, which although they may not be convenient for any one man to have in England, yet are they necessary for any (whether one man or a Company) that undertakes a Plantation, in so remote and wild a place as Maryland, to have them there; especially with such limitations as are in the Lord Baltemore's Patent; to wit, that the Laws be made with the consent of the Freemen of the said Province, or the major part of them, or their Deputies, and that they be consonant to reason, and be not repugnant or contrary, but, as neare as conveniently may bee, agreeable to the Laws of England; which limitations the Lord Baltemore hath not exceeded, as may appeare by his Answer to the Committee of the Navy to the Exceptions above mentioned; and although it be not fit that any



one Person should have a negative Voyce here in the making of Lawes, yet certainly, as no Company, so no single man, that is well in his wits, will be so indiscreet, as to undertake a Plantation at so vast an expence as the Lord Baltemore hath, if after all his charge, pains, and hazards, which are infinite in such a businesse such necessitous factious people as usually new Plantations consist of, for the most part, and went thither at his charge, or by contract or agreement with him, should have power to make Lawes to dispose of him, and all his estate there, without his consent, and he be left without remedy; for before the Supream Authority here, upon any appeale to it, will probably be at leisure from business of greater consequence, or perhaps have convenient means to relieve him, he may be ruined and destroyed; such chargeable and hazardous things as Plantations are, will not be undertaken by any, whether it be a Company or a single man, without as great incouragements of priviledges as are in the Lo. Baltemore's Patent of Maryland; and if it be not any prejudice, as certainly it is not, but more advantagious to the interest and honor of this Common-wealth, that an English man (although a Recusant, for the Lord Baltemore knows of no Lawes here against Recusants which reach into America) should possess some part of that great Continent of America with the priviledges and jurisdictions aforesaid dependent on, and subordinate to it, then the Indian Kings or Forreigners (as the Dutch and Swedes afore mentioned) who have no dependency on it, as certainly it is, then he hopes the Parliament will not thinke it inconsistent with this Comon-wealth, but just that he should injoy the Rights and Priviledges of his Patent, upon confidence whereof, he and his friends have adventured the greatest part of their fortunes for the honour of this Nation, as well as their own particular advantage; especially seeing no other person hath any wrong done him therein, for none are compelled to go to Maryland, or to stay there, but know beforehand upon what termes they are to be in that place; and the English Inhabitants of that Province are so well pleased with the Government constituted there by the said Patent, as that, by generall consent of the Protestants, as well as Roman Catholiques, it is established by a Law there, as well as freedome of



Conscience and exercise of Religion within that Province is, to all that profess to believe in Jesus Christ, as appears by the Laws of that Province now in the hands of the said Committee of the Navy, which makes it evident that a Petition lately read at that Committee, with ten unknown hands to it, in the name of the Inhabitants of Maryland, against the Lord Baltimore's sayd Patent, is eyther wholly fictitious, or else signed by some few obscure factious fellows, which is easie to bee procured by any ill affected person, against any Government whatsoever.

4. Object. That the Lord Baltimore gave his assent to certaine Lawes for Maryland in 1650 in one of which Lawes the late King Charles is stiled the late high and mighty Prince Charles the first of that name K. of England, &c. And in another of the said Lawes it is Enacted, That the L. Baltimore shall have 10s. a hogshead for all Tobacco's ship't from Maryland in any Dutch Vessell and bound for any other Port then his Majesties, whereby some would infer, that hee did acknowledge a Charles the second to be King, &c., for that the word first, in one Law inferred a second, and by the word Majesty, in the other Law, the Lord Baltimore must mean the late Kings eldest son, for the late King Charles was dead, when the Lord Baltimore assented to that Law, to wit, in August 1650.

4. Answer. To this is answered, that, although those Lawes were assented unto by the Lord Baltimore in August 1650, yet it appears by his said Declaration of assent, that some of them were enacted in Maryland by the Assembly there, in April 1649, whereof that Law was one, wherein those words, to wit, any other Ports then his Majesties, are inserted (as was proved to the said Committee of the Navy) at which time, the people in Maryland could not know of the late Kings death, which was but in January then next before; for in February, March, and April, ships usually return from those parts, and in September, October, and November, goe thither; so as the Assembly in Maryland could mean no body by that word Majesty, but the late King, and the L. Baltimore could have no other meaning but what the Assembly had, for he did but assent to what they had done, and was before enacted, as aforesaid: as to the other law, wherein

those other words are inserted, to wit, the late high and mighty Prince Charles, the first of that name &c., it was one of those Laws which were passed by the Assembly in Maryland, in April 1650, when the people there knew of the late Kings death; to wit, a year after the other law above mentioned, with divers others, which were enacted in April 1649, as aforesaid, though in the ingrossment of them all here, (when the Lord Baltimore gave his assent to them altogether in August, 1650) it is written before it, because they were transposed here in such order, as the Lord Baltimore thought fit, according to the nature, and more or lesse importance of them, placing the Act concerning Religion first, &c. And as to those words, the first of that name &c. the word first, doth not necessarily imply a second, as some infer upon it, no more then when the first born of thy sonnes were commanded to be given to God, did imply a second, which was performed though there were never a second; the word first, hath relation to the time past, and not to the time to come; King James is stiled in History, James the first of that name, King, &c., though there were never a second of that name King of England, &c., and it is usually written and said, that a King died in the first year of his Reign when he lived not to enter into a second, the like whereof may be made out by many other instances; and as the L. Baltimore is confident the Assembly in Maryland had no intention by those words, Charles the first &c. to infer a second King of that name, no more had he, in his assent to that Law, any such thought or meaning; and the comportment of him and his Officers in Maryland above mentioned, towards the Parliament, and their friends, doth sufficiently confirme it.

Among other priviledges granted to the L. Baltimore, and the Inhabitants of Maryland, by his said Patent, one is, (by an expresse clause therein inserted) that the said Province should not from thence forward be, or be reputed any part of Virginia, or bee dependent or subject to their Government in any thing, (although the Government of Virginia was then immediately in the Kings hands) but was, by the said Patent, (in express words) separated from it, and so it hath been ever since, which was one of the chiefest encouragements, upon confidence whereof, the L.

Baltimore, and others, adventured so great a part of their estates thither as aforesaid; for it was the priviledges and immunities, and not the land only, granted by the said Patent, which did chiefly induce the Lord Baltimore to make so great an Adventure, without which he would not certainly, upon the conditions of a common Planter, have disbursed any thing upon a Plantation in America: Wherefore he hopes the Parliament will not think it just, or fit, to deprive him, and the Inhabitants of Maryland of so important a priviledge, (which is their inheritance, and dearly purchased by them) by putting them now under the Government of Virginia, upon colour of any Articles agreed on, when the Virginians were declared enemies of this Commonwealth, and the rather, because even in point of policy also, (as is humbly conceived) for certain Reasons of State hereunto annexed, it will be more advantageous to the honour and interest of this Commonwealth, to keep those two Governments still divided, and to preserve and protect the Lord Baltimore's rights and priviledges aforesaid in Maryland, then to destroy either of them.

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#### REASONS OF STATE, CONCERNING MARYLAND IN AMERICA.

First. It is much better to keep that Government still divided from Virginia (as it hath beene for these twenty yeares last past), then to unite them; for, by that meanes, this Common-wealth will have the more power over both, by making one an Instrument (as occasion shall require) to keep the other in its due obedience to this Common-wealth.

2. Secondly, in case any defection should happen in either Colony (as lately was in Virginia) the other may be a place of refuge for such as shall continue faithfull to this Common-wealth, as Maryland lately was, upon that occasion, which it could not have beene, in case the Government of that place had been, at that time, united unto, or had had any dependence on Virginia.

3. Thirdly, it will cause an emulation in both, which of them shall give the better account of their proceedings to the Supreme Authority of this Common-wealth, on which they both depend,

and also which of them shall give better satisfaction to the Planters and Adventurers of both.

4. Fourthly, the Lord Baltimore having an estate, and his residence in England, this Commonwealth will have a better assurance of the due obedience of that Plantation, and the Planters and Adventurers thither, of having right done unto them, in case the Government thereof have still a dependence on him, and he upon this Commonwealth, (as he had before on the late King) then if the Government of that place as so remote a distance, should be disposed of into other hands who had little or nothing here to be responsible for it, and whose interest and residence were wholly there.

5. Fifthly, by the continuance of his Interest in the Government thereof, this Commonwealth and the people there, are eased of the charge of a Deputy Governour; which he, at his own charges, maintains, the Inhabitants there being yet so poor, (and so like to be for many years) as they are not able to contribute any thing towards it.

6. Sixthly, if the L. Baltimore should, by this Commonwealth, be prejudiced in any of the rights or privileges of his Patent of that Province, it would be a great discouragement to others in forraign Plantations, upon any exigency, to adhere to the interest of this Commonwealth, because it is notoriously known, that, by his expresse direction, his Officers and the people there, did adhere to the interest of this Commonwealth when all other English Plantations (except New-England) declared against the Parliament, and at that time received their friends in time of distresse, for which he was like divers times to be deprived of his Interest there, by the Colony of Virginia, and others, who had Commission from the late Kings eldest sonne for that purpose, as appears by a Commission granted by him to Sir William Davenant, the Original whereof remains with the Councill of State, and a true Copy thereof is hereunto annexed.

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## LIEUT. GORRELL'S JOURNAL.

[In the Maryland Historical Society's collections is a ms. journal of Lieut. Gorrell, commandant of a post on Lake Michigan, 1761-63. In Parkman's *Conspiracy of Pontiac*, portions of this journal are cited, and the whole was published from Parkman's transcript, in the Wisconsin Historical Society's collections, Vol. I. In the same ms. is an account of another expedition, not included in Parkman's transcript, which is here reproduced.]

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Lieu! James Gorrells Journall from Montreal on the Expedition  
Commanded by Major Wilkins with some account of that  
Expedition &c.

August the 17<sup>th</sup> 1763, left Montreal in Company with Lieut. William Lesslie. As we was both in the Generall Retention, General Gage was so Good as to dismiss us from the Regiment & ordered Coll Haldiman who Commanded the Royall Americans there to Appoint one of the old Lieu<sup>ts</sup> who was to go to the first Battalion in our Room take Charge of Captain Etherington's Men what was left alive from Mishamakahak Except Two that Remained Prisoners with the Chipways and was before mention'd and my Garrison From La Bay as he thought it was proper for us to wait upon Sir Jeffery Amherst in order as we had not an Oppertunity to have our Acc<sup>ts</sup> Pass'd By Major Gladwin who was to Approve of and pass all Acco<sup>ts</sup> which belong'd to the posts depending on Detroit, and Therefore made no doubt but the General wou'd pass them, as it would be hard for us to wait on Half pay. He General Gage was so good as to Give me a pass Requesting The Officers who Command'd at the different posts to Forward me. The 18<sup>th</sup> We lay at Prereas, the 19<sup>th</sup>. Arriv'd at S<sup>t</sup> Treis, Got a Batteau & Arrived at S<sup>t</sup> Johns the 20<sup>th</sup>, set sail in one of the King's Sloops on lake Champlain with a fair wind but in a few hours the wind turn'd ahead so that we were on that Lake untill the 31<sup>st</sup>. When we arrived at Crown point we showed our orders to Coll<sup>o</sup> Elliott of the 55<sup>th</sup> Regiment who Command'd there but was Refus'd any Assistance, so that



we had hard Getting A Boat ; however by paying an Extraordinary price we got one. September the 1<sup>st</sup> we arriv'd at Ticonderogo, pass'd the Carrying place To Lake George, set sail and arriv'd at Sabbath day Point. We arriv'd at Fort George the 3<sup>d</sup> staid here one day and hier'd horses and set out. The 4<sup>th</sup> pass'd Fort Edward. We lay near Saratoga. Next Day arriv'd at Albany. There we Receiv'd orders to march Immediately to Neagra & Join Major Wilkins who had the Command of the Expedition for Detroit. The 8<sup>th</sup> we left Albany and Arriv'd the same day at Schenectady. The 9<sup>th</sup> Lay up the Mohack River ; the 10<sup>th</sup> lay in the woods about the Gorman flats ; the 11<sup>th</sup> at Fort Stanwix ; the 12<sup>th</sup> at the Royal Blackhold ; the 13<sup>th</sup> Cross'd the lake to Fort Bravington ; the 14<sup>th</sup> at Oswego ; the 16<sup>th</sup> at Oswego where was Oblig'd to wait, the wind being Contrary. In this Time Major Moncrieff Arriv'd here from General Amherst on his way for Detroit, who Join'd us. The 19<sup>th</sup> we Receiv'd the Melancholy news of Lieu<sup>t</sup> Campbell & Fraser of the 80<sup>th</sup> Regiment with Lieutenant Rusk of the Artillery & Captain Johnson of the Provincials with About 90 Non-Commission'd officers and private men being kill'd & scalped, Also that the Indians had destroy'd all the waggons and kill'd and Taken all Oxen and horses at the Carrying place at Niagra, upon which Major Duncan, officer Commanding at Oswego, ordered Eight Oxen with Harness to be Embarked on Board the sloop with us. We sail'd the 22<sup>d</sup>. & the 24<sup>th</sup> arriv'd at Niagra and put our selves under the Command of Major Wilkins who then lay at the lower landing. As to particular or even Exact dates I will not pretend to do, as there was Severall Gentlemen of the different Corps has taken an Exect Journal, in Particular Major Moncrieff. I shall therefore make mention only of some of the Extraordinary Accidents that happend. We were employ'd in Carrying Provision for the Expedition about three weeks, during which time lost all our Oxen. Nothwithstanding of the Wether and Road being knee deep en mud in most parts, the Maj<sup>r</sup> [made] a trip once a day, Four men Carrying a Barrell which Commonly weigh'd 250 or 300. The Carrying place is 9 Mile the Front & Rear Taking it day, at the other Carrying arms.

The Royall Americans and 80<sup>th</sup> Reg<sup>t</sup> Held out well ; But the platoons under the Command of Cap<sup>t</sup> Gardiner being wore out in Service at the Havannah &c, could not make out to Carry. The Greatest Number was Either taken Sick or died ; however we got a Sufficient Quantity of Provision for to Supply Detroit as well as the Expedition, had we not mett with the Most unlucky accident that Ever was Viz.

In the first place we was after Geting up the Rappids at the Entrence of the Lake Erie having all the Provisions on board and having sent Our sick men as well as the wounded which Came in the Sloop from Detroit, Down in large Scows to Fort Stousher, the Major Order'd half the 60<sup>th</sup> & 80<sup>th</sup> Regments men ashore to haul up the Sloop. Leaving their Arms in their Respective Boats the platoons being in The Rear immediately after Calling in their Advance Guards & Sentinels in order to Embark, immediately the Indians Fired on the Canoes in the Rear which belong'd to the platoons which Caused disorder in Whole Troops Consisting upwards of 600 Brave men which could Fight or go through any Difficultys with their Equell number of Troops. The Indians Drove off 2 Batteaus, kill'd about 13 men, wounded Severall. Among the number was Lieu<sup>t</sup> James Johnson Late of Gorham's Rangers who was Mortally wounded. All the men in his Batteau Being kill'd Except his Servant. He got to Fort Shriver which is 18 Miles down ; it was imposible for him to Return. The Stream was so Rapped that no number of men Can Come up but by hauling. The Lieu<sup>t</sup> Johnson Died of his wounds immediately after his Arrivall at Niagra. However on the Firing all the men Got Ashore as Quick as Posible Except one man left in Each Batteau. Captain Gardiner and his men who was next to the Indians immediately landed and pursued them into the woods. The Major order'd the 60<sup>th</sup> to keep on the Bank & ordered the 80<sup>th</sup> who was in the front to take a Circle in the woods and indeavour to Surround them in the woods upon the Right of the 60<sup>th</sup>, Gardiner to Continue on the Left as it was Immagin'd a number of them wanted to destroy our Batteaus. But it being a deep swamp Round the Bank Found it impracticable. Captain Gardiner Lieu<sup>t</sup> Stoughton Badly wounded, one

Soldier of the platoon Kill'd, one wounded, one of 60<sup>th</sup> kill'd & three wounded, one of which died with His wounds. It was not Suppos'd there was Above 20 or 30 of those Villains By their Tracks. It is Cartain their was a white man amongst them who scalped One of the wounded Soldiers who Came in and Liv'd some time. He ask'd Him, the Soldier, while he was scalping him what Shire in England he Came from and said he was an Englishman. In the Afternoon we sent Captain Gardiner & Lieu<sup>t</sup> Stoughton aboard of the Sloop, pursued our voyage untill almost dark where we landed at a point & Dress'd provision for Two or three days. At 10 o'Clock at night we set sail & Continued all night & next day Untill we Came to the long point. There obliged to stay for 10 days. The day we Left that got a good wind until we Came to a place Call'd fish Creek where we were obliged to lay 9 days more. The 9<sup>th</sup> day the wind favouring us the Major order'd us all off With Instructions to keep well out from the land and to Continue all night. About two hours after Darke there arose a Storm, we left our Batteaus, the most of the largest and best Batteaus Infantry. The Largest and best Batteaus which lieutenant Davidson with And all the powder Boates was left. In this Storm was Drowned Lieutenant Davidson of the Arrtellery, Lieu<sup>t</sup> Painter, Late of the Independent, Doctor Williams of the 80<sup>th</sup> Regiment, with 4 Serjeants, 63 Private & one Canadian.

The Next day we Attempt'd to Gather the Wreck but found Little or none Except Lieu<sup>t</sup> Davidson & about 6 men which we Buried. Next day the Major Call'd A council of officers to Consult what was best to be Done as all the Ammunition was Lost & all their Cartridges wet, not so much as a Cartrich left Dry, upon which they Concluded it best to send the Friend Indians who Came with us to Niagra and to Detroit with a letter to Major Gladwin as they were told to acquaint the Major of our Coming. The letter was Enclos'd in an Indian's powderhorn between two bottoms made for that purpose wherein he was Acquainted with a truth of our Misfortune and as soon as the Indians were gone out of Sight we Set Sail & arriv'd at Niagra Latter End Novem<sup>r</sup>

## Finis

NB Shortly after we arriv'd at Niagra Came the Captains Rogers Hopkins & Montezour with a party Major Gladwin had sent from Detroit, who inform'd us as followes: that notwithstanding our Bad success our Expedition was of Good Consequence for the Good of the Service, for the Indians who always has Spyes had been Inform'd of such a large Body of us Coming which Frightn'd them so that they begun to beg for peace with Major Gladwin who told them That they had been so bad that he Could not make Peace with them, but if They Expect'd to be forgiven to Disperse and Go to their hunting Grounds as well, he wou'd Consider of it Against their Return. M<sup>r</sup> Pontiack They say'd Promised to inform of the Canadians who was Consarn'd in it. However they went to their hunting Agreeable to the Majors Request, upon which the Major sent out and Gather'd all the Corn & provision they Could Get from the Inhabitants so that with it & What the Sloop took up they were supply'd with provision for 200 Men. The Rest of the Garrison he sent to Niagra there they Remaind under the Command of the Above Mention'd Officers.

The 28<sup>th</sup> of November Major Moncreff with the platoons Embark'd on board of the sloop. The 29<sup>th</sup> we Embark'd on board the Snow where we arrived in two Days. The Major made all the hast posible, But the severity of the weather and the River being Frozen at Albany before we Could Arrive and Carriage being Hard to Get for the sick & lame so that it was the

Jan<sup>r</sup> 1764 before we arriv'd at New York which time the General order'd all the half pay officers to be paid half pay From the Commencement of the Campaign, and there was three Transports waiting for to Carry us home but as I Could not Get the Kings Accompts Contracted at La Bay settled untill Major Gladwin was obliged to stay until then.

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### AGREEMENT OF CLAIBORNE WITH CLOBERY AND OTHERS FOR TRADING TO VIRGINIA.

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To all to whome these presents shall come Greeetinge in our Lord God, everlasting whereas John Delabarr, William Clobery, Maurice Thompson, Simon Turgis and William Claiborne have made redie and sett forth the good ship the Affrica of London for transportation of passengers into Virginia as alsoe for trade and other designes as shalbe found most beneficiall for the said voyadge In which inplyment the said William Claiborne goethe chiefe commander now know ye that we the said John Delabarr, William Clobery, Maurice Thompson and Simon Turgis doe committ and referr the manadgeing and prosecution of the said voidage unto the said William Claiborne to doe execute and performe therein all and every thing and things which are lawfullie to be done or may any wayes concerne the good of the said voyage, wherein the said William Claiborne is to doe his best indeavour for the profitt and benefitt of the said Adventurers. And the said William Claiborne doth hereby covenant and promise to keepe and render unto the said adventurers a true and just accompt of all his proceedings, and alsoe of such commodities and goodes as shalbe had or obteyned by trade with the Indians or otherwise shall arise. In consideration whereof the said William Claiborne is to have one part of all profitt and benefitt which shalbe made by the said inplyment in what kind soever or by what meanes soever the same shall accrew And the said John Delabarr, William Clobery, Maurice Thompson and Simon Turgis doe further covenant and promise to allow and accept of all such reasonable and necessary charges and expences for the generall stocke as the said William Claiborne shall finde necessary and requisite for and about the manageing of the said voyage. Lastlie the said William Claiborne doth covenant and promise by the first returne of shipping to send such commodities furrs bills of exchange &c. as he shall anye way be able to pro-



cure for the said account unto the said Adventurers. And to the true intent and meaning of these presents the said John Delabarr, William Clobery, Maurice Thompson, Simon Turgis and William Claiborne doe bind themselves each to other their executors administrators and assigns In witness whereof the said John Delabarr, William Clobery, Maurice Thompson, William Claiborne and Simon Turgis have hereunto sett their handes the 24<sup>th</sup> day of May Anno domini 1631.

W<sup>M</sup> CLAIBORNE  
MAUR THOMPSON.

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LETTER OF THE REV. JOHN CARROLL TO  
CHARLES CARROLL, SR.

[The Rev. (afterwards Archbishop) John Carroll accompanied Messrs. Franklin, Chase, and Charles Carroll of Carrollton on their unsuccessful mission to induce the Canadians to make common cause with the revolted colonies. The gentleman to whom it is addressed was the father of Charles Carroll of Carrollton.]

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Philadelphia June 2<sup>d</sup> 1776.

Hon<sup>d</sup> D<sup>r</sup> S<sup>r</sup>

I arrived at this place the day before yesterday in company with D<sup>r</sup> Franklin. Cousin Charles and M<sup>r</sup> Chace left Montreal with me on the 12<sup>th</sup> of May, that they might not be in any danger from a frigate running up the River and getting between them, & the Eastern shore of S. Laurence. As D<sup>r</sup> Franklin determined to return to Philadelphia, on account of his health, I resolved to accompany him, seeing it was out of my power to be of any service, after the Commissioners had thought it advisable for them to leave Montreal. Your son and M<sup>r</sup> Chace proposed staying at St. John's or in that neighbourhood, till they should know whether our army would keep post at De Chambeau: and the former desired me to give you notice of his being safe and well. Since I left him, it has not been in my power to do it before this day, as we unfortunately chanced to come to every

post town on our road sometimes a day, sometimes a few hours too late for the mail. When I left him, he expected to follow us in a few days; but M<sup>r</sup> Hancock tells me that if an express, sent some days since from Congress, reaches them before they have left Canada, he is of opinion they will continue there for some time. I shall set out from hence next week, and propose doing myself the pleasure of calling at Elk-ridge. My aff<sup>te</sup> and respectful compl<sup>ts</sup> to M<sup>rs</sup> Darnall and Carroll with love to Polly. Nothing new from Canada, nor indeed any advices at all since we left it. Great divisions here between the contending parties. I have presumed to trouble you to forward the inclosed, and remain,

Hon<sup>d</sup> D<sup>r</sup> S<sup>r</sup>

Y<sup>r</sup> aff<sup>te</sup> kinsman & hum: Serv<sup>t</sup>

J. CARROLL.

Ten tons of powder,  
500 small arms came in yesterday

Cos<sup>rr</sup> Charles rec<sup>d</sup> large packets of letters from you a few days before we left Montreal.

To

Charles Carroll, Sen<sup>r</sup>, Esq<sup>r</sup>.  
to the Care of M<sup>r</sup> W<sup>m</sup> Lux  
Baltimore.

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## TASKER FAMILY.

1. CAPT. THOMAS TASKER<sup>1</sup> was commissioned one of the Justices of Calvert County 30 May 1685 (*Md. Arch.*, xvii, 379), and was also in the commission from 1689 to 1692 (*Md. Arch.*, viii, 145 ; *Test. Proc.*, xvi, 8, 28, 44). In 1689 he signed the Declaration of the inhabitants of Calvert County for not choosing Burgesses (*Md. Arch.*, viii, 110). He represented the County in the Assembly from 1692 till 1697 (*Md. Arch.*, xiii, 351 ; xix, 355) and was a member of Council from 18 March 1698/9 (*Md. Arch.*, xxv, 55) until his death. He was commissioned a Justice of the Provincial Court 17 Oct. 1694 (*Md. Arch.*, xx, 137), and was Treasurer of the Province in 1695 (*ibid.*, 274). 4 September 1689 he was commissioned Captain of Foot in the Calvert County Militia (*Md. Arch.*, xiii, 242), and is frequently designated by his military title. He attended a Council meeting 18 July 1700 (*Md. Arch.*, xlv, 101), and his will was proved 31 August following, so that he apparently died in August 1700. In the year 1736 a commission was appointed to perpetuate testimony in regard to the Tasker pedigree (Chancery, IR., No. 3, fol. 800 ff.). It was in evidence before this commission that Thomas Tasker married in 1676 a widow, Mrs. Brooke, who died about 1695, but her identity is not further established. In his will (dated 16 March 1699, proved 3 August 1700) he makes provision for his mother, Mrs. Ann Tasker.  
Capt. Thomas Tasker<sup>1</sup> and — Brooke his wife, had issue :—

- i. THOMAS TASKER,<sup>2</sup> d. unmar. in England, about 1696.
  2. ii. JOHN TASKER, d. 1711.
  3. iii. HON. BENJAMIN TASKER, b. 1690 ; d. 19 June 1768.
  - iv. ELIZABETH TASKER, b. 1686 ; d. 10 February 1706 ; married 21 April 1701, Col. Thomas Addison of Prince George's Co.
2. JOHN TASKER<sup>2</sup> (Thomas<sup>1</sup>) of Calvert County, died in the year 1711. In his will dated 22 September 1711, and proved 17 October following (Annapolis, Lib. 13, fol. 233) he mentions his wife Eleanor, his son Thomas Tasker (under 18 years old), his aunt Elizabeth Sury, and his brother Benjamin Tasker. He married Eleanor, daughter of Col. Thomas Brooke of Brookfield, Prince George's County, and she married secondly Charles Sewall (d. 1742) of Eltonhead Manor,

St. Mary's County (*Magazine*, i, 186) Her father's will mentions "my daughter Eleanor Sewall (wife of Mr. Charles Sewall)" and her eldest son Thomas Tasker.

John Tasker and Eleanor (Brooke) his wife, had issue:—

- i. THOMAS TASKER,<sup>3</sup> d. 1734; mar. Clare, dau. of Major Nicholas Sewall, and had an only child John,<sup>4</sup> who died young, about 1736 (Chancery, IR., No. 3, 800 fl.). Mrs. Clare Tasker mar. 2°. Wm. Young.

- 3. HON. BENJAMIN TASKER<sup>2</sup> (Thomas<sup>1</sup>) was born in 1690 according to a deposition made in 1741, wherein he gives his age as 51 years (IR., No. 4, 365). He was a Justice of Anne Arundel County 1714–17, and High Sheriff of the County 1717–18 (A. A. Co., Court Record). He was a member of the Council of Maryland from 4 November 1722 until his death in 1768 (*U. H. Journals*), and 1752–53, as President of the Council, he was Acting Governor of the Province (*ibid.*). The inscription on his tombstone, in St. Ann's Church yard, Annapolis, states that he was President of the Council for thirty-two years, Agent and Receiver General of the Province, and Judge of the Prerogative Court. He was a Justice of the Provincial Court, and member of the Quorum, from 1729 to 1732 (Commission Book), and he was Mayor of Annapolis 1721, 1726, 1750, 1754 and 1756 (*Riley's Ancient City*). He died on Sunday, 19 June 1768, in the 79th year of his age, and the *Maryland Gazette* of the 23rd inst. gives a lengthy obituary. He married, 31 July 1711, Ann, daughter of Hon. William Bladen (b. 1673; d. 1718), Secretary of Maryland 1701, Attorney General 1707, and Commissary General 1714. Her brother, Col. Thomas Bladen (b. 1698; d. 1780), Governor of Maryland 1742–47 and later member of Parliament, married Barbara Janssen, daughter of Sir Theodore Janssen, Bart., and sister of Mary Janssen, wife of Charles, fifth Lord Baltimore. Benjamin Tasker and Ann (Bladen) his wife, had issue:—

- i. WILLIAM TASKER,<sup>3</sup> b. 3 July 1713; d. 18 March 1715.
- ii. BENJAMIN TASKER, b. 29 Sept. 1717; d. 13 Nov. 1717.
- iii. BLADEN TASKER, b. ....; d. 17 Jan'y 1721.
- iv. COL. BENJAMIN TASKER, b. 14 Feb'y 1720; member of Council 1744–60, and Secretary of Maryland; d. unmar. 17 Oct. 1760, and is buried at St. Ann's, Annapolis.
- v. BLADEN TASKER, b. 28 June 1722; d. 22 Aug. 1723.
- vi. ANN TASKER, b. 7 Oct. 1728; mar. Gov. Samuel Ogle.
- vii. REBECCA TASKER, b. 4 Nov. 1724; mar. 16 Sept. 1749, Hon. Daniel Dulany.
- viii. ELIZABETH TASKER, b. 4 Feb'y 1726; d. 19 Sept. 1789; mar. 14 May 1747, Christopher Lowndes.
- ix. BLADEN TASKER, b. 4 Feb'y 1730; d. young.
- x. FRANCES TASKER, mar. 2 April 1754, Robert Carter of Nominy, Westmoreland Co., Va.

## MARYLAND GLEANINGS IN ENGLAND.

COMMUNICATED BY MR. LOTHROP WITHINGTON, 30 LITTLE RUSSELL STREET, W. C., LONDON. INCLUDING UNPUBLISHED NOTES OF MR. HENRY F. WATERS.

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RALPH HARWOOD of London, merchant. Will 1 June 1684; provd 8 July 1684. To my wife Martha £500 to be disposed of among my children at her discretion within twelve years after my decease. To my son Ralph Harwood when he shall be 21, £500. As my property consists for the most parts in ships or adventures at or beyond the Seas, my executors to sell the same when opportunity arises and invest the proceeds in mortgage on lands or in other securities. The said profits to be divided into four parts, one for my wife, the others among my three children. Executors: my two friends, Mr. John Browne and Mr. Thomas Sands. Witnesses: James Dryden, Ralph Cooper, John Harwood, Robert Davies. Codicil 9 June 1684. John Harwood, William Acres, Rachell Babington, Ralph Cooper. To my Brother Mr. Thomas Harwood and his wife Mary Harwood £10 apiece, and a further bequest of plate and jewels above the fourth share to my wife Martha. Hare, 90.

THOMAS HARWOOD of Streatley, County Berks, Esq. Will 22 April 1704; proved 14 March 1712/13. To my son Richard Harwood £100. To my grandchildren Mary, Thomas, and Anne Burley £50 apiece when 21 or married, if they all die then their legacies to go to my son, Thomas Harwood. To my grandsons Thomas, John and Harwood Abery £50 apiece when 21. To my grandchildren Elizabeth, Mary, Anne Wylde and Martha Silke £30 apiece when 21 or married. To my grandchildren Thomas Harwood, John Harwood, and Dorothy Harwood £30 apiece when 21. To the children of my son Richard Harwood who shall be living at my death £90 when 21. To my daughter Elizabeth Brent, to visit my grandson Swanley Harwood at least once a year until he be twelve and ask him if he be properly cared for, and if not to ask my son Thomas to give his assistance, £50. To son Thomas my leasehold messuage in Lymehouse, Stepney, County Middlesex, to be sold and divided into seven parts, one to himself, one to son Richard Harwood, one to daugh-



ter Elizabeth Brent, one to daughter Mary Silke one to daughter Sarah Abery, one to grandson Swanley Harwood, one to grandchildren, Mary, Thomas, and Anne Burley. All the rest of my goods and parts of ships to son and executor, Thomas Harwood. To my son Richard Harwood all my plantations in Maryland in America and whereas my son John Harwood by his will dated 24 August 1700 gave unto his son the aforesaid Swanley Harwood one half of his estate, making myself and my wife Mary, since deceased, his executors and whereas his estate amounts to £2000, £1000 of which I have kept as Swanley's share, I give to my son Thomas my lands in Streatly and at Stanford Hill, Tottenham High Cross, County Middlesex, late in tenure of William Burr on condition he pays to the said Swanley £40 a year for his education and keep till he is 21, and then pays him £1000 and £400 which I now give him. Witnesses: John Hosea, Alexander Hoggon, John Booker. Leeds, 61.

ANTHONY PENRUDDOCK. Will 29 December 1641; proved 2 May 1642. To my wife all my personal estate and what money shall come to me from the Lord Windsor lately deceased, or from Lord Herbert, son and heir of the Earl of Worster; after her decease to my two daughters Jane and Lucy Penruddocke; also I give her all my rents in New Street in Salisbury, and at her decease to my daughters, failing them to George Penruddocke, Esq. If my cosen George Penruddocke or my cosen Edward Penruddocke, the six Clarke, like to buy them, they are to have them at a more reasonable price than other people. To my Cosen George Penruddocke my sword and belt and all my bookes in my study. To Cosen Edward Penruddocke, the sixe Clarke, a gould ring. To my very good neece Lady Jane Fitz William, and to her husband Colonell Fitz William, a gold ring each. To my only sister Mrs. Eliza Seaborne 40s for a ring, and to each of my daughters 20s. for a ring. Executors: my wife and Cosen George Penruddocke. Overseer: Cosen Edward Penruddocke, the six Clarke, and I desire all men to know I die a true Roman Catholic. My land in Marie Land to my daughters, and because my cosen John Penruddocke of Hale shall see I die in charity with all the world I say God bless Him. Proved by Jane the relict. Cambell, 60

CHRISTOPHER BIRKHEAD of the City of Bristoll, mariner. Will 11 November 1675; proved 25 October 1676. To my wife Joane and my son Nehemiah 500 acres called Birkheads in Ann Arundell County in Maryland; after my wife's decease he is to

have it all, and to stock and plant with fruit trees (400 apple trees capable of bearing fruit in four years) that plantation called little Bristoll in Talbot County on the northside of the great Choptanek River which is to be divided as follows, 400 acres to my son Solomon and the rest to my son Eleazar; if my son Nehemiah refuse to stock, he is to pay each of them £50. To son Solomon my plantation in Maryland called Birkheads Lot lying on the Ridge of Ann Arundell County. To my wife  $1/16$  part of the ship Society of Bristoll, the other  $1/16$  to my son Nehemiah. To my sons Solomon and Eleazer my ship the Friendshipp now at sea to be used for them till they are 19. One-third of my goods to my wife, the rest to my children. To my friends Charles Goldney and Charles Gould £10 to give to the poor. To my sister Margaret Smith, widow, £5. To her children £5. Executor: Son Nehemiah; if he die, my Brother and Brothers in law, Abraham Birkhead of Maryland, John Day, Dyer, and Robert Day, cooper, and my friend John Host, currier. Witnesses: William Meredith, John Day, Thomas Dawe, Edmond Warnert Richard Gray. Bence, 127.

JOHN WARDROP, Calvert County in Province of Maryland, Merchant. Will 2 September 1758; proved 1 July 1767. To Nephew Andrew Whyte, House and Furniture in Lower Marlborough, stock of Cattle, my horse, Negroe fellow Tom, Negroe Wench Frank, with £100 sterling. To sister Jean Kelly £20 sterling yearly on first of June, and after her death till her three youngest children are of age or married, then £500 in full etc. To John and Jean Holden near Dundee £20 sterling yearly ditto. To Alexander and Andrew with their sister Jean Symmes, my Nephews and Neice, the said Alexander and Andrew Symmes Bond dated 10 December 1756 for £500 etc. To Mrs. Ann Russell spouse to friend Mr. James Russell for many good offices £100. To Miss Ann Russell and Miss Mary Russell £250 each when of age or married. To Mr. Charles Grahame my Attorney in Maryland my Mulatto Fellowe William Gale with half of Sloop Betsey and half of the fifteen Hh<sup>d</sup> Flat with any profits on condition he lays it out for purchasing Negroe Wenches for a stock for his daughter Azenath Grahame my god-daughter. To Mr. James Dick and Mr. Charles Grahame £20 each for rings for themselves and family. Executor: Mr. James Russell of London. Witnesses: Kensey Johns, Samuel Galloway, Hancock Lee. [Testator described in probate act book as of parish of All Hallows Staining, London and executor of Calvert County, Maryland.] Legard 288.

WALTER SCOTT of the Province of Maryland but at present residing in London, Merchant. Will 26 February 1752; proved 14 March 1752. To Walter Scott and company of Glasgow, 2 lots of land belonging to me at Portobacco in Maryland. To James Arnwur and John Stewart of London, Merchants, lands granted me by Henry Wyne and Sarah Wyne, vizt: Land in Portobacco in Charles County called Simpsons Delight 300 acres. 3 parcels more one of 200 acres called Warrall, London 100 acres, Blorksith 100 acres. Land at Nanjemy in Charles County called Glovers point, 200 acres and land near Piscataway called Pithly 200 acres and 3 parcels more at the head of the Wicomico River called Burtons 90 acres, Sudmoore's Adventure 37 acres and also the benefit of an assignment from the said Henry Wyne of all moneys due from Honorable Benjamin Young Esquire of Maryland, and make them residuary Legatees and Executors of this my will. Bettesworth 78.

BARNET BOND, late of the Province of Maryland in America, but now of the Parish of Saint Ann Lime House, County Middlesex. Will 25 January 1741/2; proved 20 April 1749. My freehold lands in Maryland, one near Gun Powder River, one at the head of Bush River, and one in Nodd Forest or a certain place called the Land of Nodd to be in three parts, one to my wife Alice Bond, and the other two parts to my daughter Mary and the child my wife is now pregnant with, or the survivors, and if they should die before 21 years of age, half to my wife and the other half to my Brothers Peter and William Bond, and my sister Anne Bond. My wife trustee for my child, if she marry again my cousin Mr. William Bond of Maryland. Executrix: Wife Alice. Witnesses: Charles Barnard, John Lugg, Thomas Coulthred No. 2. Glass House Yard, Minories. Lisle 100.

JOHN LOMAS of Annapolis in Maryland, but now of the City of Glasgow in North Britain, gentleman. Will 22 October 1754; proved 22 November 1757. To Walter Johnson, John Mill and George Spence of London, merchants, and to their executors all my estate in Great Britain and all interest elsewhere and in the estate of my deceased Brother Henry Lomas by virtue of agreement between my sister Mary Roson and her husband John Roson and myself in trust to pay as follows. To my sister Mary Roson £30 per annum for life. To said John Roson £50. To my friend James Johnson of Glasgow merchant all the interest of my estate and after his decease to his wife Margaret and after the decease

of both of them amongst the children of the said James and Margaret when 21. Residuary Legatee and Executor: said James Johnson. Witnesses: John Somervale, Robert Colquhoun, William McKinzie. Proved by John Mill attorney for James Johnson.  
Herring, 331.

EDWARD WARNER, Citizen and Distiller of London, of St. Botolphs Aldgate. Will 31 August 1722; proved 20 March 1723/4. My lands or Plantations in Maryland to my wife Mary. My personal estate to be divided, one third to my wife, and one third among my sons. My daughter Mary now wife of Richard Wright having been already advanced. Rest to my wife. Codicil 3 September 1722. The other one third of my estate as follows: one half to my wife and one half to my sons Edward, Richard, and Samuel Warner. Executor: my wife. 11 October 1723 appeared William Rolfe of Parish of St. Edward the King, London, haberdasher, one of the Dissenters called Quakers and Richard Wright of St. Gabriel Fenchurch Street, London, Merchant and declare that the above is the writing of Edward Warner of St. Botolph Aldgate, distiller, deceased. Proved by son Edward, wife renouncing.  
Bolton 73.

FRANCIS ROLLE of Maryland. Will 17 November 1724; proved 7 December 1724. To my wife Dorothy Rolle her dowry of my estate, the residue among my four sons Robert Rolle elder, Francis Rolle second, Phidemon Rolle third, Henry Rolle fourth. Executor: Arnaolt Hawkins of Maryland. Witnesses: John Dunkin, George Coats, William Curtis. (Signed as Francis Rolls).  
Bolton 282.

PHEBE FINCH. Will 8 September 1756; proved 18 February 1757. To my grand Daughter Phebe Finch "of in Potentment, Maryland" £20. Residuary Legatee and sole Executrix: My daughter Elizabeth Higgonson. Witnesses: William Martin, Elinor Sedgwick. Proved by Elizabeth Higginson the executrix, widow.  
Herring 48.

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## PROCEEDINGS OF THE SOCIETY.

## MONTHLY MEETINGS.

March 8, 1909.—Two noteworthy additions to the Society's collections were announced and shown on this date: a water color of the Privateer *Surprise*, capturing the British ship *Star*, January 28, 1815, and a copy of the Articles of Agreement of the Baltimore galley *Conqueror*, 1779.

Among the new volumes added to the library and reported at this meeting were: the Journal of the House of Burgesses, Va., 1752-55 and 1756-58; the Parish register of Otley Co.; the Constitution and register of membership of the Society of the War of 1812, and the proceedings in the Senate and House of Representatives on the reception and acceptance of the statues of Charles Carroll and John Hanson.

The Auditing Committee appointed at the annual meeting presented its report through Mr. Greenway, to the effect that it had carefully examined the accounts of the Treasurer and found them correct. The detailed report of the Treasurer appeared in the last issue as part of the proceedings of the annual meeting.

Letters of resignation were received and accepted from Miss Emily E. Lantz, Alonzo May and Robert H. Wright.

The following new members were elected:

MRS. CHARLES W. BASSETT,	- - -	2947 St. Paul St.
THOMAS L. BERRY,	- - -	Fidelity Building.
THOMAS W. ELIASON,	- - -	Chestertown.
MRS. REUBEN FOSTER,	- - -	2301 N. Charles St.
JOHN HINKLEY,	- - -	215 N. Charles St.
CHARLES C. HOMER, Jr.,	- - -	Mt. Washington.
REV. ALFRED R. HUSSEY,	- - -	1314 Bolton St.
WILLIAM B. LEVY,	- - -	408 Fidelity Building.
UPSHUR LLOYD,	- - -	Easton, Md.
W. HOLLINGSWORTH MACKALL,	-	Elkton, Md.
JAMES McEVoy, Jr.,	- - -	213 Courtland St.
CHARLES W. PRETTYMAN,	- -	Rockville, Md.



MRS. CHARLES RIEMAN,	-	-	-	Roger's Forge, Md.
REV. WILLIAM SCHOULER,	-	-	-	Elkton, Md.
H. A. C. SYLVESTER,	-	-	-	1506 Madison Ave.
FRANCIS T. TAGG, D. D.,	-	-	-	316 N. Charles St.
WILLIAM TAPPAN,	-	-	-	714 St. Paul St.
HARRISON W. VICKERS,	-	-	-	Chestertown, Md.
FRANCIS E. WATERS,	-	-	-	Union Trust Building.

The paper of the evening was read by Mr. DeCourcy W. Thom on "Old Wye Church."

*April 12, 1909.*—At the meeting held on this date the death was announced of John T. Morris, which took place on March 28.

Those elected to membership in the Society at this meeting were :

MRS. D'ARCY PAUL,	-	-	-	Gorsuch Ave.
EDWARD P. KEECH, Jr.,	-	-	-	900 Maryland Trust Building.
E. THOMAS MASSEY,	-	-	-	Massey, Kent Co., Md.
JOHN W. CHAMBERS, M. D.,	-	-	-	18 W. Franklin St.
E. G. REIST,	-	-	-	Sparrows Point.

Mr. Lawrence C. Wroth read a very interesting paper on "Francis Scott Key as a Layman."

*May 10, 1909.*—This, being the final spring meeting was, as usual devoted entirely to business of the Society, and no paper was read at this meeting. The resignation of Charles T. Crane was presented and accepted. One associate and four new active members were elected, as follows :

<i>Associate:</i>	Brig.-Gen. JAMES A. BUCHANAN, 1767 Q St., Washington.
<i>Active:</i>	MRS. FRANCIS T. HOMER, Sherwood.
	MISS ELIZABETH M. MORRIS, 908 St. Paul St.
	CASPER G. WOODALL, American Office.
	LAWRENCE C. WROTH, 215 E. Preston St.

A type-written copy of the Reminiscences of the Rev. Jonathan Boucher was presented to the Society by Mr. Richard D. Fisher. This volume is especially interesting as presenting a picture of the prevailing social conditions in Maryland at the beginning of the Revolution from the point of view of an ardent Loyalist. Mr. Boucher writes of Washington from a personal acquaintance

with him, and the conditions under which he performed his clerical duties among a people politically hostile to him are graphically described.

Mr. Richard H. Spencer offered the following amendments to the Constitution :

(1) To amend Article III, Sec. 2, by substituting the word seven for three in the tenth line, so as to make the Committee on Membership consist of seven members, in place of three as heretofore.

(2) To amend Article III, Sec. 4, by striking out the first two paragraphs of that section as they now are, and substitute the following for them :

4. It shall be the duty of the Trustees of the Athenæum and of the several Committees to meet at the rooms of the Society at three o'clock on the first Saturday following the annual meeting and then, or at an adjourned meeting, the said trustees and each of said Committees shall select one of its members as its chairman, who shall thereby become a member of the Council ; and notice of such election shall be promptly given to the Recording Secretary.

This amendment, if adopted, to take effect on and after the next annual meeting.

(3) Also that Section 7 of Article V of the Constitution be repealed and re-adopted so as to read :

7. Any active or associate member in arrears for dues for six months shall be reported by the Treasurer to the Recording Secretary, whose duty it shall be formally to notify the member so in arrears and at the same time to send to such member a copy of this section of the Constitution. If after such notice the dues shall remain unpaid at the end of the fiscal year, the Treasurer shall report the fact to the Council, and unless the Council otherwise directs the Recording Secretary shall strike the name of the delinquent from the rolls of the Society and notify the Treasurer thereof.

Any person whose name shall have thus been stricken from the roll, may thereafter be reinstated upon such terms and conditions as the Council may from time to time prescribe.

These several proposed amendments were laid over under the rule, until the next meeting of the Society.

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